



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Fri., the 14th Nov., 2014/23rd Kart., 1936. [No. 33-5

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

**JAMMU AND KASHMIR STATE ELECTRICITY REGULATORY
COMMISSION**

Notification No. 40/JKSERC of 2014

Dated 05-09-2014.

In suppression to the Commissions Notification No. JKSERC/09 dated 3rd January, 2011 and in accordance with the provisions contained in Jammu and Kashmir State Electricity Regulatory Commission (Renewable

Power Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2011, the Jammu and Kashmir State Electricity Regulatory Commission hereby designates the Jammu and Kashmir State Power Development Corporation as the State Agency for accreditation and recommending renewable energy projects in the State for registration and to undertake functions as per Regulation 9 of the above mentioned Regulations of 2011.

By order of the Commission.

(Sd.) ABDUL HAMID, KAS,

Secretary,
J&K State Electricity Regulatory Commission,
Srinagar.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Fri., the 14th Nov., 2014/23rd Kart., 1936. [No. 33-6

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

**JAMMU AND KASHMIR STATE ELECTRICITY REGULATORY
COMMISSION**

Notification No. JKSERC/38 of 2014

Dated 10-07-2014.

Pursuant to Regulation 12, 13, 15 and 16 of the J&K SERC
(Open Access in Intra-State Transmission and Distribution) Regulation,
2006 notified under No. 6/J&K/SERC/Jammu, dated 25-01-2006, the Jammu

and Kashmir State Electricity Regulatory Commission hereby notifies the charges payable during FY 2014-15 by Open Access Customers :—

1. Transmission/Distribution (Wheeling Charges) :

Regulation 12 (A)–

The ST-rate applicable to Short-Term Open Access Customers shall be as under :—

For transmission - Rs. 587/MW/day.

For distribution (Wheeling) - Rs. 1560/MW/day.

2. Cross-Subsidy Surcharge :

Regulation No. 12 (B) –

Cross-Subsidy Surcharge shall be nil.

3. Additional Surcharge :

Regulation No. 12 (C) –

The additional surcharge shall be fixed on case to case basis keeping in view the amount of fixed/capacity cost allowed to distribution utility/licensee.

4. Scheduling and System Operation Charges :

Regulation No. 12 (D)–

Rs.1000/- per day or part thereof shall be paid by Short-Term Open Access User.

Rs. 30,000/- per month or part of the month shall be paid by Long-Term Open Access User.

Note :—The operating charges include fee for scheduling and system operation fee affecting revision in schedule on *bona fide* grounds and collection and disbursement charges.

5. Reactive Charges :

Regulation No. 12 (E) —

If the voltage at the point of drawal is below 97% of the normal voltage, or if at the injection point the voltage is higher than 103% of the normal voltage, the Open Access Customer shall pay charges to the concerned utility/licensee for drawal/injection of reactive energy at the point of drawal/injection at the rates fixed by CERC for Inter-State Transmission for the year. Both drawal and injection of reactive energy shall be measured at 15 minutes time block along with voltage.

6. Restoration Charges :

Regulation No. 12 (F) —

For HT Open Access connection-Rs.700/-

For LT Open Access connection-Rs.150/-

7. UI Charges under Intra-State ABT Tariff :

Regulation No. 13 —

Unscheduled interchange rates for over/under-drawals shall be 100% of the UI rate.

8. Energy Loss :

Regulation No. 15 —

The average technical loss allowable and to be considered for Open Access Users during FY 2014-15 shall be—

Transmission Losses (EHV)	4%
Distribution Losses (HV) (Excluding LV&MV)	5%

9. Special Energy Meter :

Regulation No. 16

Charges for rental of meter (if provided by the utility/licensee), charges for meter reading and other related charges including the charges for communicating the meter reading to SLDC shall be paid by the Open Access Customer @ Rs.1000/- (Rupees One Thousand only) per month for each meter and shall be paid to the utility/licensee who is rendering such service.

By order of the Commission.

(Sd.) ABDUL HAMID, KAS.

Secretary,
J&K State Electricity Regulatory Commission,
Srinagar.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Tue., the 18th Nov., 2014/27th Kart., 1936. [No. 33-7

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/4/ID/2014/NS-I

Dated 18th November, 2014.

ORDER

1. Whereas, section 71 of the Jammu and Kashmir Representation of the People Act, 1957 provides that with a view to preventing impersonation of electors, so as to make the right of genuine electors to vote under section 72 of that Act more effective, provisions may be made by rules

under that Act for use of Electors Photo Identity Card for electors as the means of establishing their identity at the time of polling ; and

2. Whereas, Rule 27A of the Jammu and Kashmir Registration of Electors Rules, 1966, empowers the Election Commission to direct, with a view to preventing impersonation of electors and facilitating their identification at the time of poll, the issue of Electors Photo Identity Card to electors bearing their photographs at State cost ; and

3. Whereas, Rules 49H (3) and 49K (2) (b) of the Jammu and Kashmir Conduct of Elections Rules, 1965, stipulate that where the electors of a constituency have been supplied with Electors Photo Identity Card under the said provisions of Rule 27A of the Jammu and Kashmir Registration of Electors Rules, 1966, the electors shall produce their Electors Photo Identity Card at the polling station and failure or refusal on their part to produce those Electors Photo Identity Card may result in the denial of permission to vote ; and

4. Whereas, a combined and harmonious reading of the aforesaid provisions of the said Act and the rules, makes it clear that although the right to vote arises by the existence of the name in the electoral roll, it is also dependent upon the use of the Electors Photo Identity Card, where provided by the Election Commission, as the means of establishing their identity at the time of polling and that both are to be used together ; and

5. Whereas, the Election Commission made an Order on the 28th August, 1993, directing the issue of Electors Photo Identity Card (EPIC) to all electors, according to a time bound programme ; and

6. Whereas, Electors Photo Identity Card have been issued to most of the registered electors in the State of Jammu and Kashmir ; and

7. Whereas, in addition the Commission has directed that **'Authenticated Photo Voters Slip'** shall be distributed to the electors before the date of poll for the current general election.

8. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that for the above general election to the State Legislative Assembly of Jammu and Kashmir, notified/to be notified on 28-10-2014, 07-11-2014, 14-11-2014, 19-11-2014 & 26-11-2014, all electors who have been issued EPIC shall produce the EPIC for their identification at the polling station before casting their votes. Those electors who are not able to produce the EPIC shall produce one of the following alternative photo identity documents for establishing their identity :—

- (i) Passport ;
- (ii) Driving License ;
- (iii) Service Identity Cards with photograph issued to employees by Central/State Govt./PSUs/Public Limited Companies ;
- (iv) Passbooks with photograph issued by Bank/Post Office ;
- (v) PAN Card ;
- (vi) Aadhar Card ;
- (vii) Smart Card issued by RGI under NPR ;
- (viii) MNREGA Job Card ;
- (ix) Health Insurance Smart Card issued under the Scheme of Ministry of Labour ;
- (x) Pension document with photograph ;
- (xi) Authenticated Photo Voter Slip issued by the election machinery ; and
- (xii) Certificate issued to Kashmiri Migrants by competent authority with photograph.

9. In the case of EPIC, clerical errors, spelling mistakes, etc. should be ignored provided the identity of the elector can be established by the EPIC. If an elector produces an Electors Photo Identity Card, which has been issued by the Electoral Registration Officer of another Assembly Constituency, such EPICs shall also be accepted for identification provided the name of that elector finds place in the electoral roll pertaining to the polling station where the elector has turned up for voting. If it is not possible to establish the identity of the elector on account of mismatch of photograph, etc. the elector shall have to produce one of the alternative photo documents mentioned in Para 8 above.

10. Notwithstanding anything in Para 8 above, overseas electors who are registered in the electoral rolls under section 16A of the Jammu and Kashmir Representation of the People Act, 1957, based on the particulars in their passport, shall be identified on the basis of their original passport only (and no other identity document) in the polling station.

By order.

(Sd.) SHANGARA RAM,

Principal Secretary,
Election Commission of India.

Published for general information.

(Sd.) HARCHARN SINGH,

Consultant, SVEEP
O/o Chief Electoral Officer,
Jammu and Kashmir,
Jammu.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Fri., the 8th Aug., 2014/17th Srav., 1936. [No. 19-a

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOUSING AND URBAN
DEVELOPMENT DEPARTMENT**

Notification

Srinagar, the 8th August, 2014.

SRO-238.—Whereas, vide Notification SRO-22 of 2014 dated 31st January, 2014, the Government declared its intension to exclude the

following local areas from the Municipal Limits of Municipal Corporation, Srinagar :—

S. No.	Name of the Village
1.	New Theed
2.	Saidapora
3.	Khunmoh
4.	Balhama

Whereas, aforesaid notification was published in the Government Gazette, for information of general public and inviting objections thereof ; and

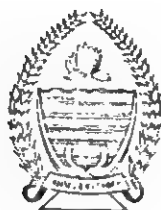
Whereas, Deputy Commissioner, Srinagar vide his Letter No. 146-147/DCS/SQ/Misc. dated 02-06-2014 intimated that no objections have been received in this regard.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the Jammu and Kashmir Municipal Corporation Act, 2000, the Government after consultation with the Municipal Corporation, Srinagar, hereby exclude the aforesaid local areas from the Municipal Limits of Municipal Corporation, Srinagar.

By order of the Government of Jammu and Kashmir.

(Sd.) SATESH NEHRU, IAS,

Secretary to Government,
Housing and Urban Development Department.



THE JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 127] Jammu, Tue., the 19th Aug., 2014/28th Srav., 1936. [No. 20-c

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 19th August, 2014.

SRO-243.—In exercise of the powers conferred by section 5 of the
of the Jammu and Kashmir Levy of Tolls Act, Samvat 1995, the Government
hereby exempt from the levy of toll leviable under the said Act, the items

details of which are given in "Annexure" to this notification, to be imported into the State by the Air India for ground handling of the Hajj Aircrafts at Srinagar Airport for Hajj Operation, 2014 :

Provided that the Chief Executive Officer, State Hajj Committee, J&K certifies that the equipments/appliances so imported into the State are exclusively meant for the use of the Hajj Operation, 2014 and shall be returned back after completion of Hajj Operation, 2014.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS, IAS.

Principal Secretary to Government,
Finance Department.

Annexure to the SRO-243 dated 19-08-2014.

S. No.	Name of the item	Quantity
1.	Push Back Tractor-PBT 1454	1
2.	Tow Bar-1530	1
3.	Auto step-2581 and 2582	2
4.	Air Jet Starter	1

(Sd.) SHAKEEL-UL-REHMAN,
Special Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE
AND PARLIAMENTARY AFFAIRS**

(Judicial Administration Section)

Notification

Srinagar, the 22nd August, 2014.

SRO-251.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat, 1989 and in partial modification of notification SRO-308 of 2009 dated 2nd October, 2009, the Government hereby appoint Shri Dheeraj Bhasin, Advocate, Jammu as Public Prosecutor for a period of one year for the Court of Additional District and Sessions Judge, Jammu on terms and conditions as laid down in Government Order No. 1169-LD (A) of 2002 dated 05-04-2002 read with Government Order No. 202-LD (A) of 2003 dated 20-01-2003.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Secretary to Government,
Department of Law, Justice and
Parliamentary Affairs.



•

•

•

•





**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol.127] Srinagar, Fri., 22nd Aug., 2014/31st Srav., 1936. [No.21-f

**Separate paging is given to this part in order that it may
be filed as a separate compilation**

PART 1-B

Jammu and Kashmir Government-Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-REVENUE DEPARTMENT
(Haj and Auqaf Section)**

Notification

Srinagar, the 22nd August, 2014.

SRO-252.- In exercise of the powers conferred by sub-section (1) of section 6 of the Jammu and Kashmir Wakaf Act, 2001 (Act No. III of 2001), the Government after consulting the Administrator, Auqaf Islamia Jammu, hereby publish land measuring 01 Kanal comprising Survey

2 The J&K Govt. Gazette, 22nd Aug. 2014/31st Srav., 1936. [No.21-f
No.III under the occupation of Ahli-Islam Wakaf property situated at
village Raika, Tehsil and District Jammu, as Wakaf property for the
purpose of graveyard.

By order of the Government of Jammu and Kashmir.

(Sd.) VINOD KOUL, IAS,
Commissioner/Secretary to Government,
Revenue Department.

ANNEXURE II

S. No.	District	Tehsil	Village	Khasra No.	Area	Nature of property	Remarks
					K. M		
1	Jammu	Jammu	Raika	111	01-00	Graveyard	
Total:					<u>01-00</u>		

(Sd.).....

Special Officer, Auqaf,
J&K Government.

SURVEY-ANNEXURE (1)

ریاست جموں و کشمیر

تختیل و ضلع جموں

فہرست جائیداد وقف واقع در موضع ریکا

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
نمبر شمار	نام جائیداد	نمبر خسرو	رقبہ بقید قسم			قسم زمین	تفصیل درختان و تعمیرات		اغراض و مقاصد	تخمیناً مالیت جائیداد	آمدنی سالانہ		طریقہ	کیفیت
سروے	وقف		سنال	مرلہ	مربع فٹ		تعمیرات	درختان	جائیداد وقف	وقف	روپے	پیسے	انتظام	
ریکا	مقبوضہ اہل اسلام	111	01	-	-	غیر ممکن قبرستان	-	-	مدفن	Rs30,00000/-	-	-	بذریعہ	اوقاف کمیٹی

دستخط پٹواری اوقاف سروے کنندہ

دستخط گرد اور اوقاف پڑتال کنندہ

دستخط سیشنل آفیسر اوقاف تصدیق کنندہ

PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT**

Notification

Srinagar, the 22nd August, 2014.

SRO-253.—In exercise of powers conferred by Sub-rule (1) of Rule 14 read with Rule 18 of the Jammu and Kashmir Lambardari Rules, 1980, the Government hereby appoint the Additional Deputy Commissioner, Budgam, Shri M. A. Qadri, as the Returning Officer for the purpose of holding the election of Lambardar of village Larbal, Tehsil Beerwah, District Budgam.

By order of the Government of Jammu and Kashmir.

(Sd.) VINOD KAUL, IAS,
Commissioner/Secretary to Government,
Revenue Department.



100



PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—SOCIAL WELFARE DEPARTMENT**

Notification

Srinagar, the 22nd August, 2014.

SRO-254.—In exercise of the powers conferred by sub section (3) of section 1 of the Jammu and Kashmir Prevention of Beggary Act, 1960, the Government hereby direct that the provisions of the said Act shall be applicable to whole of the State of Jammu and Kashmir, with effect from the date of issuance of this notification.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD SHAFI RATHER, IAS.

**Secretary to Government,
Social Welfare Department.**



.

.

.

.



PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT**

Notification

Srinagar, the 26th August, 2014.

SRO-259.—In exercise of the powers conferred by section 5 of the Jammu and Kashmir Levy of Tolls Act, Smvt, 1995, the Government hereby exempt from the levy of toll leviable under the said Act, 78300 square feet of marble stone to be imported by the Secretary, Sant Ashram Swami Girdhranand Paramhans, Samba for the renovation of the said Ashram :

Provided that the Secretary, Sant Ashram Swami Girdhranand Paramhans, Samba certifies that the material so imported into the State is exclusively meant for the above purpose only.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS, IAS,

Principal Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HEALTH AND MEDICAL EDUCATION
DEPARTMENT**

Notification

Srinagar, the 25th August, 2014.

SRO-255.—In exercise of powers conferred by sub-section (1) of Section 20 of the Drugs and Cosmetics Act, 1940, the Government of Jammu and Kashmir hereby appoint Smt. Sudha Swamy, Chief Scientific Officer, Drugs Testing Laboratory, Bangalore notified Government analyst available in Drug Testing Laboratory to be the Government analyst for the whole of the State in respect of drugs falling under Schedule c, c (1) and X of the Drugs and Cosmetics Rules, 1945 except for sera and vaccines and also the Drugs/Class of Drugs as may be specified by notification from time to time.

By order of the Government of Jammu and Kashmir.

(Sd.)

**Commissioner/Secretary to Government
Health and Medical Education Department.**



4

2

2

4



PART I—B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT**

Notification

Srinagar, the 26th August, 2014.

SRO-257.—In exercise of the powers conferred by section 3 of the Jammu and Kashmir Public Premises (Eviction of Unauthorized Occupants) Act, 1988 and in supersession of all Previous notifications, issued on the subject the Government hereby appoint Shri Ravi Kumar Bharti, (KAS), Director Land Management, Jammu Development Authority, as Estates Officer for purposes of the Act in respect of the premises controlled by the Jammu Development Authority.

By order of the Government of Jammu and Kashmir.

(Sd.)

Commissioner/Secretary to Government,
Revenue Department.



•

•

•

•





**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Srinagar, Tue., the 15th July, 2014/24th Asad., 1936. [No. 15-e

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT**

Notification

Srinagar, the 15th July, 2014.

**SRO-218.—In exercise of the powers conferred by section 85 of the
Jammu and Kashmir Value Added Tax Act, 2005, the Government hereby**

direct that the following amendments shall be made in the Jammu and Kashmir Value Added Tax Rules, 2005, namely :—

1. In rule 28, after sub-rule (2A), the following sub-rule shall be added, namely :—

“2AA. The returns referred to in sub-rule (2) of rule 28 shall be accompanied by the following forms wherever applicable :—

- (i) Statement of local purchases in Form VAT-48 ;
- (ii) Statement of local sales in Form VAT-49 ;
- (iii) Statement of inter-state purchases in form VAT-48i ;
- (iv) Statement of inter-state sales in Form VAT-49i ;
- (v) Statement of export outside the Country in Form VAT-49E ;
- (vi) Statement of capital goods excluding Schedule E items in Form VAT-48C ;
- (vii) Statement of Inter-state Stock Transfer inward in Form VAT- 48iS ;
- (viii) Statement of Inter-state Stock Transfer outward in Form VAT- 49iS ;
- (ix) Statement of local Stock Transfer inward in Form VAT-48S ;
- (x) Statement of local Stock Transfer outward in Form VAT-49S ;
- (xi) Statement of goods purchased across LoC in Form VAT-48L ;
- (xii) Statement of goods sold across local in Form VAT-49L ;

(xiii) Annexure I to the SRO-91 dated 16-03-2006 ;

(xiv) Annexure II to the SRO-91 dated 16-03-2006.”

2. In rule 68,—

(a) after clause (c), the following clause shall be added :—

“(cc) Notwithstanding anything contained in this rule, the way bill referred to in section 67 of the Jammu and Kashmir Value Added Tax Act, 2005 can be filed electronically in Form VAT-58A appended hereto.”

(b) In clause (k) after sub-clause (iv), the following sub-clause shall be added :—

“(v) Notwithstanding anything contained in sub-rule (k) of rule 68, any dealer importing the goods into the State may filed declaration electronically through computer network in Form VAT-65A appended hereto.”

3. The Forms VAT 11, 11A, 48, 49, 58A and 86A shall be substituted by the Forms appended to this notification.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS, IAS,

Principal Secretary to Government,
Finance Department.

- ☐ Treasury/Bank receipt (VAT-15) ☐ Statement of Stock Transfers (VAT 48S/49S/48iS/49iS)
☐ Statement of Capital Goods purchases (Except Schedule E items) (VAT-48C)
☐ Annexure 1 ☐ Annexure 2 ☐ Statement of Purchases across LoC (VAT-48L) ☐ Statement of Sales across LoC (VAT-49L)

(A) Purchase/Stock Transfer

1.	Net Value of Purchase made within the State (Excluding Capital Goods)	0%	
		1%	
		5%	
		13.5%	
		40%	
		Other rate	
2.	Value of other purchase within the State on which Input Tax Credit will not be available	From T. O. T./Casual Dealer	
3.	(a) Purchases from unregistered/registered dealers within the State u/s 14 of J&K VAT Act		

(C) Input Tax

1.	Input Tax paid against S. No. 1 Section (A)	1%	
		5%	
		13.5%	
		40%	
		Other rate	
2.	Input Tax on capital goods allowed quarterly out of section (E)		
	Total (C)=1+2		
(D) Output Tax+Purchase Tax			
1.	Output Tax Collected against S. No. (1) of section (B)	1%	
		5%	
		13.5%	
		40%	
		Other rate	

Quarterly VAT Return	Form VAT-11	
Name of Dealer	TAXPAYER IDENTIFICATION NUMBER	

	(b) Purchases disposed off otherwise than by way of sales out of 3(a)	
4	Value of inter-state purchases/imports (from outside the State of J&K)	0%
		1%
		5%
		13.5%
		40%
		Other rate
5.	Value of Goods received by stock transfer/consignment transfer outside the State	0%
		1%
		5%
		13.5%
		40%
		Other rate

2.	Tax on purchases u/s 14 of VAT Act disposed off otherwise than by way of sale	
Total (D)=1+2		
(E) Tax paid on capital goods purchased within the State		
(F) Amount of tax carried forwarded from previous Tax period		
(G) Deductions :		
1.	Input Tax retained u/s 21 (4) & 21(6)	
2.	Input Tax reversed u/s 21 (10)	
Total G=1+2		
(H) Input Tax available $H=(C+F)-G$		

6. Value of goods received by stock transfer/consignment transfer within the State		0%	
		1%	
		5%	
		13.5%	
		40%	
		Other rate	
7. Net value of capital goods purchased inside the State except schedule (E) items			
Total (A)=1+2+3a+4+5+6+7			
(B) Sales/Stock Transfer			
1. Taxable Turnover of sales within the State		1%	
		5%	
		13.5%	
		40%	
		Other rate	

(I) Tax payable/Excess Input I=D-H	
(J) Security payment made, if any	
(K) Tax available/Payable K=I-J	
(-) indicates Excess payment	
(+) indicates Payable amount	
(L) ITC Adjusted against CST	
(M) Outstanding dues, if any, against	
1.	Under section 22 (4) (to be eligible after two years)
2.	Under section 55 (2)
(N) Input Tax Carried over to next Tax period =K-L-M	

Quarterly VAT Return	Form VAT-11
Name of Dealer	TAXPAYER IDENTIFICATION NUMBER <div style="display: flex; justify-content: space-between;"> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> <div style="width: 10px;"></div> </div>

2.	Taxable Turnover of Inter-state sales i. e. outside the State of J&K	1%	
		5%	
		13.5%	
		40%	
		Other rate	
		0%	
3.	Turnover of Consignment/Stock Transfer within the State (Outward)	1%	
		5%	
		13.5%	
		40%	
		Other rate	
4.	Turnover of Consignment/Stock Transfer from J&K to other States		
5.	Turnover of Tax free Sales		
6.	Turnover of Exports Sales		
	Total (B)=1+2+3a+4+5+6		

(O) Tax refundable under J&K VAT Act :	
1.	Under section 22(4) (to be eligible after two years)
2.	Under section 55 (2)
Total (O)=1+2	
ACKNOWLEDGEMENT (Office Use)	


Details of Tax Deposited

S. No.	Name of Treasury Bank where Tax deposited	TR No./CIN	Date	Amount	For Office use	
					DCR No.	Date
1						
2						
3						

Part III—Declaration

I, solemnly declare that to the best of my knowledge and belief, the information given in the return is correct and complete and that the particulars shown herein are truly stated and are in accordance with the provisions of the J&K VAT Act, 2005 *(This return should be signed by an authorised person)*

Name of Person	Place	Seal and Signature

	Annual VAT Return	Form-VAT 11A
	[See Rule 28 (3)]	Period from 1. 01. 04. 2018 to 31. 03. 2019
Circle :	Please Fill in Capital Letters where applicable and sign the declaration	Date: ____/____/20__

Part I-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number
	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>

Part II-Filing Status

1. Whether Original or Revised or Final Return.	If revised or original return acknowledgement number and date	
<input type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Final	2. a) Date (Day, Month, Year) ____/____/20__	2. b) Acknowledgement Number _____
2. Reason for Filing revised Return (Attach Separate Sheet if Space is Less)		
3. Following documents are enclosed with the return (See Rule 28 (3) for appropriate documents as applicable)		

- ☐ Trading Account
- ☐ Balance Sheet
- ☐ Manufacturing Account

(A) Purchase/Stock Transfer

1.	Net Value of Purchase made within the State (Excluding Capital Goods)	0%	
		1%	
		5%	
		13.5%	
		40%	
		Other rate	
2.	Value of other purchase within the State on which Input Tax Credit will not be available	From T. O. T. Casual Dealer	
3.	(a) Purchases from unregistered/registered dealers within the State u/s 14 of J&K VAT Act		

(C) Input Tax

1.	Input Tax paid against S. No. 1 section (A)	1%	
		5%	
		13.5%	
		40%	
		Other rate	
2.	Input tax on capital goods allowed quarterly out of section (C)		
	Total (C) 1+2		
(D) Output Tax+Purchase Tax			
1.	Output Tax Collected against S. No. (1) of section (B)	1%	
		5%	
		13.5%	
		40%	
		Other rate	

Quarterly VAT Return	Form VAT-11 A
Name of Dealer	TAXPAYER IDENTIFICATION NUMBER

	(b) Purchases disposed off otherwise than by way of sales out of 3(a)	
4	Value of inter-state purchases/imports (from out side the State of J&K)	0%
		1%
		5%
		13.5%
		40%
		Other rate
5	Value of Goods received by stock transfer/ consignment transfer outside the State	0%
		1%
		5%
		13.5%
		40%
		Other rate

2	Tax on purchases u/s 14 of VAT Act disposed off otherwise than by way of sale	
Total (D)= 1+2		
(E) Tax paid on Capital goods purchased within the State		
(F) Amount of tax carried forwarded from previous tax period		
(G) Deductions		
1.	Input Tax retained u/s 21 (4) & 21(6)	
2.	Input Tax reversed u/s 21 (10)	
Total G= 1+2		
(H) Input Tax available H=(C+F)-G		

6	Value of goods received by stock transfer/consignment transfer within the State	0%	
		1%	
		5%	
		13.5%	
		40%	
		Other rate	
7.	Net value of capital goods purchased inside the State except schedule (E) items		
	Total (A)=1+2+3a+4+5+6+7		
(B) Sales/Stock Transfer			
1.	Taxable Turnover of sales within the State	1%	
		5%	
		13.5%	
		40%	
		Other rate	

(I) Tax payable/Excess Input I=D-H	
(J) Security payment made if any	
(K) Tax payable/Payable K=I-J	
(-) indicates Excess payment	
(+) indicates Payable amount	
(L) ITC Adjusted against CST	
(M) Outstanding dues if any against	
1.	Under section 22 (4) (to be eligible after two years)
2.	Under section 55 (2)
(N) Input Tax Carried over to next Tax period = K-L-M	

Quarterly VAT Return	Form VAT-11 A	
Name of Dealer	TAXPAYER IDENTIFICATION NUMBER	

2.	Taxable Turnover of Inter-state sales i. e. outside the State of J&K	1%	
		5%	
		13.5%	
		40%	
		Other rate	
3.	Turnover of Consignment Stock Transfer within the State (outward)	0%	
		1%	
		5%	
		13.5%	
		40%	
		Other rate	
4.	Turnover of Consignment Stock Transfer from J&K to other States		
5.	Turnover of Tax Free Sales		
6.	Turnover of Exports Sales		
	Total (B)=1+2+3a+4+5+6		

(O) Tax refundable under J&K VAT Act :	
1.	Under section 22(4) (to be eligible after two years)
2.	Under section 55 (2)
	Total (O)=1+2
ACKNOWLEDGEMENT (Office Use)	


Details of Tax Deposited

	Name of Treasury Bank where tax deposited	TR No/CIN	Date	Amount	For reference	
					DCR No	Date
1						
2						
3						

Part III—Declaration

I, solemnly declare that to the best of my knowledge and belief, the information given in the return is correct and complete and that the particulars shown herein are truly stated and are in accordance with the provisions of the J&K VAT Act, 2005. *(This return should be signed by an authorised person)*

Name of Person	Place	Seal and Signature

		FORM VAT-58A WAY BILL e-Check Post Transaction		Form Number
				Date of issue
Part A	General	Name of the Transport		
		Agency/Carrier of Goods		
		Transport Registration Number		
		Check/Post/Barrier Name		
		Vehicle No.		
		Place of Dispatch		
		Date of Reporting at Check post		
	Consignor/ Consignee Details	Registered Yes/No (Consignor)		
		TIN of Consignor		
		Name of Consignor		
		Address of Consignor		
		State of Consignor (Fill in case of Import)		
		Registered Yes/No (Consignee)		
		Category (TX, NT, OT, ET)		

Part C-Declaration

Declared and certified that the goods, particulars of which are given above, have been imported by me/us from outside the State for purposes mentioned in rule 68 (K) of J&K VAT Rules and hold myself/ourselves liable for payment of tax as per law to the Government.

Name			Signature	
Date			Place	



FORM VAT-65A
Declaration for Imports by Registered Dealer

**Form
Number**

**Date of
issue**

Part A

**Consignor/
Consignee
Details**

Check Post/Barrier Name

Registered Yes/No (Consignor)

TIN of Consignor

Name of Consignor

Address of Consignor

State of Consignor

Category (TX, NT, OT, ET)

TIN of Consignee

Name of Consignee

Address of Consignee

Place of Destination

Nature of Transaction

Part B—Consignment Details

GR No.	Invoice or Delivery Memo No.	Date of Invoice or Memo	Name of Commodity	Description of Commodity	No. of Packages	Weight	Value
Total Invoice Value							

Part C—Transporter Details

Vehicle No.	Weight of vehicle on Kanda Parchi (Kgs)	Kanda Parchi No.	Transporter Registered Y/N	Transporter Registered No.	Transporter Name

Part D-Declaration

Declared and certified that the goods, particulars of which are given above, have been imported by me/us from outside the State for purposes mentioned in rule 68 (K) of J&K VAT Rules and hold myself/ourselves liable for payment of tax as per law to the Government.

Name			Signature	
Date			Place	

Form-VAT 48 S [See Rule 2AA] Local Stock Transfer Statement Inward	Period from □□/□□/□□□□ to □□/□□/□□□□ Date: __/__/20__
--	--

Part A-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number <div style="display: flex; justify-content: space-around; height: 20px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>
-----------------------	--

Part B : Invoice-wise details of Local Stock Transfer Inward

Serial No.	Date of Delivery Challan	Delivery Challan Number	Branch/ Agent/ Principal Name	Address of Branch/ Agent/ Principal	0%	1%	5%	13.5%	40%	Other % Tax	Other Amount	Value of Goods	Nature of Goods	Transporter Name	Vehicle No.

Signature of the Dealer

Inter-state Stock Transfer Statement Inward

00/00/0000

Date: / / 20

1. Dealer Name

2. Taxpayer Identification Number

[illegible][illegible]

Signature of the Dealer

Form-VAT 49 [See Rule 2AA] Local Sale Statement	Period from <div style="text-align: center;"> □□/□□/□□□□ to □□/□□/□□□□ </div>
	Date: __/__/20__

Part A-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number <div style="text-align: center;"> </div>
-----------------------	--

Part B : Invoice-wise details of local sales

Serial No.	Invoice Number	Invoice Date	0%	1%	5%	13.5%	40%	Other % Rate	Other Amount	Amount before Tax (A)	Tax charged (B)	Total Amount

Signature of the Dealer

Form-VAT 49 i [See Rule 2AA] Inter-state Sales Statement	Period from □□/□□/□□□□ to □□/□□/□□□□ <hr/> Date: __/__/20__
---	--

Part A-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
-----------------------	---

Part B : Invoice-wise details of Inter-state Sale

S. No.	Date of Invoice	Invoice Number	TIN of the Purchaser	Name of Purchaser	State of Dealer	0%	1%	5%	13.5 %	40 %	Other % Tax	Other Amount	Amount before Tax (A)	Tax charged (B)	Total Amount (C=A+B)	Statutory Form	Available Y/N	Form No.

Signature of the Dealer

Inter-state Export Statement

Date: / / 20

2. Taxpayer Identification Number

[illegible]

Signature of the Dealer

Form-VAT 49 S

[See Rule 2AA]

Local Stock Transfer Statement Outward

Period from

□□/□□/□□□□ to

□□/□□/□□□□

Date: __/__/20__

Part A-Dealer Information

1. Dealer Name

2. Taxpayer Identification Number

Part B : Invoice-wise details of Local Stock Transfer Statement Outward

Serial No.	Date of Delivery Challan	Delivery Challan Number	Branch/ Agent/ Principa Name	Address of Branch/ Agent/ Principal	0%	1%	5%	13.5%	40%	Other % Tax	Other Amount	Value of Goods	Nature of Goods	Transporter Name	Vehicle No.

Signature of the Dealer

Form-VAT 49 is <i>[See Rule 2AA]</i> Inter-state Stock Transfer Statement Outward	Period from □□/□□/□□□□ to □□/□□/□□□□ Date: __/__/20__
---	--

Part A-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
-----------------------	---

Part B : Invoice-wise details of Inter-state Stock Transfer Statement Outward

Serial No.	Date of Delivery Challan	Delivery Challan Number	Branch/ Agent/ Principal Name	Address of Branch/ Agent/Principal	Rate of Tax	Value of Goods	Nature of Goods	Transferter Name

Signature of the Dealer

Form-VAT 48 L <i>[See Rule 2AA]</i> LoC Purchase Statement	Period from <div style="border-bottom: 1px solid black; display: inline-block; width: 100px; text-align: center;"> □□/□□/□□□□ </div> to <div style="border-bottom: 1px solid black; display: inline-block; width: 100px; text-align: center;"> □□/□□/□□□□ </div>
	Date: <u> </u> / <u> </u> / 20 <u> </u>

Part A-Dealer Information

1. Dealer Name	2. Taxpayer Identification Number
	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>

Part B : Invoice-wise details of LoC Purchases

Serial No.	Date of Invoice	Invoice Number	Name of Seller	Nature of Commodity	Rate as per J&K VAT Schedules (Rate on which items are to be sold in J&K)							Total Invoice Amount
					0%	1%	5%	13.5%	40%	Other % Tax	Other Amount	

Signature of the Dealer

Form-VAT 49 L [See Rule 2AA] Sale Statement across LoC	Period from <div style="text-align: center;"> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> to <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> </div>
	Date: __ / __ /20__

Part A-Dealer Information

1. Dealer Name <div style="height: 20px; border: 1px solid black;"></div>	2. Taxpayer Identification Number <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> <div style="border: 1px solid black; width: 15px; height: 15px;"></div> </div>
---	---

Part B : Invoice-wise details of sales across LoC

Serial No.	Name of Purchaser	Invoice Number	Invoice Date	Nature of Goods	Total Invoice Amount

Signature of the Dealer

<p style="text-align: center;">Tax Remission Form Annexure I</p>	<p style="text-align: center;">Period from □□/□□/□□□□ to □□/□□/□□□□</p>
	<p style="text-align: center;">Date: __/__/20__</p>

Part A-Dealer Information

<p>1. Dealer Name</p>	<p>2. Taxpayer Identification Number</p> <div style="display: flex; justify-content: space-around; height: 20px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>
------------------------------	--

Part B : Annexure I

Tax Remission Claim Form

1. Name of the Industrial Unit.....
2. Address of the Industrial Unit.....
3. TIN.....
4. Circle in which Registered.....
5. Division in which Registered.....
6. Date of filing to which quarterly Return.....

7. Tax period to which Remission Claim pertains.....

8. Quantum of Taxable sales for the tax period

(a) Negative List/Trade

- i. 5%.....
- ii. 13.5%.....
- iii. Others.....

(b) Remission

- i. 5%.....
- ii. 13.5%.....
- iii. others.....

9. Total Amount of tax collected for the tax period

ative List/Trade

- i. 5%.....
- ii. 13.5%.....
- iii. Others.....

(b) Remission

- i. 5%.....
- ii. 13.5%.....
- iii. others.....

10. Total amount of Price adjustment for the tax period made in the selling price :

(a) Remission

- i. 5%.....
- ii. 13.5%.....
- iii. Others.....

11. Amount of Tax Remission Claimed.....
12. Whether Declaration form as per Annexure II enclosed (Y/N).....

Place :

Signature of the Dealer

.....

Date :

Name :.....

COMMERCIAL TAXES DEPARTMENT
GOVERNMENT OF JAMMU AND KASHMIR

FORM VAT-86-A

Notice of Hearing u/s 38 (i) of J&K VAT Act, 2005

To,

M/s.

Address

TIN

Whereas, you have failed to file returns for the tax period _____ to _____. Whereas, I propose to initiate Provisional Assessment under section 38(i) of J&K VAT Act, 2005 for the tax period mentioned above. This is to give you one final opportunity to file the return within 15 days of service of this notice, failing which your case will be assessed provisionally without any further intimation to you.

Tax Type : VAT

Return Period : from _____ to _____

Place :


Approved Stamp
of Seal

Name :

Designation :

Date :

Location :

	Tax Remission Form	Annexure II
	[See Rule 28 (2-A)(c)]	Period from <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>
Circle :	Please fill in Capital Letters where applicable and sign the delcaration	Date: __/__/20__

Annexure II

DECLARATION FOR TAX REMISSION CLAIM

I.....proprietor/Partner/Director of
 M/slocated at.....having
 TIN.....do hereby certify that the total number of employees
 working in any industrial unit isI certify that I have
 provided employment to.....number of locals (constituting
 of the work force) in any industrial unit as per list attached in terms of Govt. Order No. 265-IND of 2005
 dated 27-10-2005

Place :

Signature :.....

Date :

Name.....

Status.....

Seal.....

CERTIFICATE

It is hereby certified that the Declaration made hereinabove by the industrial unit is true and correct.

No. :

Signature :.....

Date :

Seal.....

General Manager
District Industries Centre...../
Competent Authority of Director of
Handicrafts/Handlooms.

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

2. The second part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Srinagar, Mon., the 11th Aug., 2014/20th Srav., 1936. [No. 19-7

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

**GOVERNMENT OF JAMMU AND KASHMIR
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
SRINAGAR/JAMMU.**

File No. 144/LC

Date of Institution : 19-01-2010.

Date of Order : 15-07-2014

Sh. Bachan Lal
S/o Sh. Sain Dass
R/o Ward No. 6, H. No. 51,
R. S. Pura, District Jammu.
Petitioner/Workman

Versus

D. A. V. Management Committee,
Chitra Gupta Road, New Delhi-110055
General Secretary.

Respondent/Employer

In the Matter of :—Reference u/s 10 of the Industrial Disputes Act, 1947.

AWARD

1. Vide SRO-32 dated 15th January, 2010, the Government of Jammu and Kashmir, on being satisfied over the existence of industrial dispute between the parties, in exercise of the powers conferred by clause (C) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), has referred the disputes to this tribunal for adjudication in respect of the following matter :—

- (a) Legality or otherwise of the action of the management in terminating the series of its workman ;
- (b) Relief, if any, to which the workman is entitled to ?

2. Thereafter notices were issued to both the parties whereupon petitioner filed statement of claim on 16-09-2010 averring therein that the petitioner was employed by the respondent employer in the M. H. S. D. A .V. Centenary, Public School, Trikuta Nagar, Jammu being run by D. A. V. College Managing Committee, Chitra Gupta Road, New Delhi. D. A. V. College Managing Committee, New Delhi runs many schools in Jammu province. The first and foremost school run by the respondent is M. H. A. C School, Nagbani. Similarly, another school run by the respondent is at Sanjay Nagar, Jammu. Udampur, Panjthirithi, R. S. Pura, Akhnoor and Kathua.

3. That the petitioner joined in service in M. H. S. D. A. V. Centenary. Public School, Sanjay Nagar, Jammu on 19th January, 1990 at the post of clerk (Annexure - A). During 1992, he was put in the pay scale of Rs. 800 -1500 (Annexure P/B/ and P/B/1). In the year 1995-96, approved by the D.A.V College Managing Committee, in favour of Lower Division Clerk. In the year of 2001, the D. A. V. Managing Committee, New Delhi vide their Letter No. Ps./ Trikuta Nagar/G52527 dated 13-07-2001 approved his promotion in the pay scale of Rs. 4000-100-6000 w. e. f. 01-04-2000 (Annexure P/C/3).

4. That the services of the petitioner were terminated vide decision taken by them on 07-05-2003 by a resolution No. 2 which was conveyed vide Letter No. 11826 dated 15-05-2003 to Management Regional Director and others and decided not to only close M. H. D. A. V. Centenary Public School, Trikuta Nagar, Jammu but also terminated the services of the petitioner who was a permanent employee and working continuously and regularly for the last 15 years in the institution.

5. That the services of the petitioner were retrenched without any notice or notice pay in lieu thereof.

6. That the petitioner has not been paid retrenchment compensation under the provision of I. D. Act, 1947 and the provisions of law has also been violated and such termination is bad in the eyes of law and illegal. Non-payment of retrenchment compensation is illegal and bad and such type of termination is null and void and petitioner is entitled for reinstatement with full back wages with all allied benefits.

7. That even otherwise, the principle of the retrenchment is that last come first go the other staff who are much junior to the petitioner working in other schools were retained and the petitioner who is working with the respondent for decades have been shown doors. The services of the petitioner has been unceremoniously terminated and the order is impugned is bad and deserve to be quashed.

8. That if the respondent wanted to close down the school aforesaid, the services of the petitioner could easily be transferred to M. H. A. C. School, Nagbani or other schools run by the respondent at Sanjay Nagar, Jammu, Udhampur, Kathua, R.S. Pura, Akhnoor or such other schools as the said respondent may decide.

9. It is also submitted that M. H. S. D. A. V. School, Udhampur was closed down in 2002 and its staff was adjusted in M. H. A. C. School, Nagbani. When M. H. S. D. A. V. Public School, Sanjay Nagar, Jammu was closed down in the year 2006. The total staff teachers, clerk, peon and chowkidar were adjusted in other schools. Whereas one peon Shri Sukhdev Singh of this school has been adjusted in M. H. A. C. School, Nagbani of this school. The petitioner services can be transferred and adjusted in any school run by the respondent but the respondent with discriminatory attitude against the petitioner has not adjusted/transferred,

which is against law and against the principle of equity and fair play. The respondent terminated the services of petitioner without adopting any procedure of law, or rule. The petitioner has been deprived of his livelihood by the respondent without following any rule or procedure. The petitioner is entitled for reinstatement as the termination is illegal, unconstitutional and arbitrary.

10. The petitioner is a workman as clerk as defined as a workman under the provision of I. D. Act, 1947.

11. That the respondent terminated the services of petitioner is illegal and against the principal of natural justice. No enquiry has been held in this case. Termination without conducting any enquiry can not be sustained under law. If there was any misconduct against the petitioner, then enquiry must be held. Without affording any opportunity of hearing, the termination is bad in the eyes of law and also against the principle of natural justice. The impugned order of termination can not be sustained in the eye of law as the respondent has adopted hire and fire policy.

12. The petitioner filed a service writ petition No. S. W. P-1014/2004 before the Hon'ble Court of Jammu and Kashmir which was dismissed on the ground that a private unaided institution is not amenable to writ jurisdiction. The Hon'ble High Court observed as under :—

“In view of the peculiar facts of the case I am of the view that school management is not amenable to the writ jurisdiction”. However, the petitioner shall be at liberty to avail any other remedy available to him under law. The petitioner filed an application before the conciliation office, Jammu on 02-03-2009 and after conciliation proceedings, the case has been referred by the Government under section 10 of I. D. Act, 1947.

13. That the petitioner workman cannot be faulted for this outcome technicalities of jurisdiction. Delay occurred in this dispute/case beyond the control of workman. After the Hon'ble Court order, the petitioner raised the dispute under I. D. Act, 1947 for reinstatement as termination is illegal and against the provision of law and the petitioner is continuously to be in service under law.

14. And finally prayed that on the basis of submission made above,

aside and petitioner be reinstated on his old post with full back wages and all other allied benefits attached to the petitioner.

15. Thereafter file was posted for filing of the objections whereupon respondent filed objections on 08-03-2011 averring therein :—

- (i) That this Hon'ble Tribunal does not have the jurisdiction to adjudicate upon the instant petition as there is no dispute between the parties falling within the scope and meaning of the industrial dispute as defined under the Industrial Dispute Act, 1947. Thus the petition deserves to be dismissed in *Limine*;
- (ii) That the instant petition is also not maintainable as the impugned order pertains to the closure of the business and it is trite law that the dispute in respect of *bona fide* and genuine closure of the business is not an industrial dispute within the meaning of the Industrial Disputes Act, 1947;
- (iii) That the instant petition is also not maintainable as the petitioner was never terminated by the answering respondent. It is submitted that the impugned order dated 15-05-1993 is not a final order but only the minutes of the meeting of the sub-committee to consider the causes of Financially Non-Viable Schools held on 07-05-2003 and it only recommended for the closure of the M. H. S. D. A. V. Centenary Public School, Trikuta Nagar, Jammu. However, the same was subject to and in anticipation the approval of P. S. G. B. and D. A. V. College Managing Committee. Further, before the recommendations of the sub-committee were approved and a formal order for closure of the school and or termination of the staff was passed, the answering respondent entered into an MoU dated 16-06-2003 with Rathore Education and Research Foundation (RERF). In terms of the said MoU, the erstwhile M. H. S. D. A. V Centenary Public School, Trikuta Nagar was taken over by the R.E. R. F. Society and all the teaching as well as non-teaching staff working in the erstwhile M. H. S., D. A. V. Centenary Public School,

Trikuta Nagar shall be engaged by the R. E. R. F. Society and as such the petitioner was never terminated by the answering respondent and he was supposed to continue on the same pay and grade with the R. E. R. F. Society. Hence in the absence of actual termination of the petitioner there can be no industrial dispute and as such the petition requires outright dismissal ;

- (iv) That the present petition is not maintainable for the mis-joinder of parties as well as for non-joinder of the necessary party. It is submitted that the answering respondent have closed the M. H. S. D. A. V. Centenary Public School, Trikuta Nagar, Jammu and at the same time have also entered into an MoU with Rathore Education and Research Foundation (RERF). In terms of the said MOU, all the teaching as well as non-teaching staff working in the erstwhile M. H. S. D. A. V. Centenary Public School, Trikuta Nagar shall be engaged by the R. E. R. F. Society. Thus, Rathore Education and Research Foundation (RERF) is necessary and proper party as the claim of the petitioner lies only against R. E. R. F. Society but the same has not been impleaded as the party respondent in the instant petition. Thus, the present petition is liable to be dismissed on this ground alone.

16. It is admitted by the respondent that the petitioner was employed by the answering respondent as clerk and was subsequently promoted as U. D. C. from L. D. C in July, 2001.

17. It is further submitted by the respondent that the petitioner was never terminated by the answering respondent. It is pertinent to mention here that the impugned order dated 15.05.2003 is not a final order but only the minutes of the meeting of the sub-committee to consider the causes of financially non- viable schools held on 07.05.2003. In the said meeting, the financial viability of the D. A. V. Centenary Public School, Trikuta Nagar, Jammu was discussed and it was recommended that the said school be closed. However, the recommendations of the sub-committee were subject to and in anticipation of the approval of P. S. G. B. and D. A. V. College Managing Committee. Further before the recommendation of the

sub-committee were approved and a formal order for closure of the school and or termination of the staff was passed, the answering respondent entered into an MOU dated 16-06-2003 with Rathore Education and Research Foundation (RERF). In terms of the said MoU, the erstwhile M. H. S. D. A. V. Centenary Public School, Trikuta Nagar was taken over by the R. E. R. F. Society and in terms of the clause 4 of the said MoU, all the teaching as well as non-teaching staff working in the erstwhile M. H. S. D. A. V. Centenary Public School, Trikuta Nagar shall be engaged by the R. E. R. F. Society. Thus, in terms of the said MoU, the petitioner was not terminated and he was required to be engaged by the R. E. R. F. Society in his own pay and grade. In these circumstances, the petitioner was paid all his dues by the answering respondent till the date of execution of MoU i. e. 16-06-2003 and thereafter, the petitioner became an employee of the R. E. R. F. Society and his relationship with the answering respondent came to an end as specifically enumerated in Clause 3 of the said MoU. Since, the petitioner was never terminated by the answering respondent, there arises no question of notice of termination or payment of retrenchment compensation. Furthermore, after the execution of the MoU dated 16-06-2003, the petitioner is precluded from raising any grievance against the answering respondent and there is no dispute vis-a-vis the petitioner and answering respondent.

18. Heard arguments. Scanned the material available on file minutely including the evidence tendered by the petitioners which shall be discussed while returning the findings on each and every issue. From the comparative appraisal of the arguments and the material available on file, my issue-wise findings are as under :—

Issue No. 1

19. The onus to prove this issue is upon the petitioner who has put himself in the witness box along with Subash Chander who has proved the averments made in the petition. The employment of the petitioner has been admitted by the respondent but the termination of the petitioner has been disputed on the plea that the school was closed due to non-viable school and it was closed on 07-05-2003 in anticipation of the approval of B. S. G. B. and D. A. V. College Managing Committee. A formal order

was issued for the termination of the staff. The respondent entered into an MoU dated 16-06-2003 with Rathore Education and Research Foundation (RERF). In terms of MoU, all the teaching as well as non-teaching staff working in the erstwhile MHS DAV shall be engaged by the RERF. The petitioner was a non-teaching staff and was working as a clerk and promoted to U. D. C. from L. D. C. from July, 2001. The plea taken by the respondent that the staff of the school was never terminated so there is no dispute between the parties. In this regard, the respondent has filed a photostat copy of the memorandum of understanding executed between the respondent and R. E. R. F. But the respondent has not lead any evidence to prove their claim.

20. The evidence lead by the petitioner has proved that he was an employee of the respondent and was terminated by the respondent without adopting due course of law. The respondent though has taken a plea that the respondent has not been terminated but after has not been terminated but after availing numerous opportunities to lead the evidence in support of their claim, has not lead even a single witness to prove the plea taken by them.

21. It is the trite law that the onus of proof lies upon the person who assert the existence of any fact. As stated above, the respondent has not lead any evidence in this matter. Hence, due to lack of evidence on the part of the respondent, no reliance can be given to the defence of the respondent. One who asserts, has to prove beyond all reasonable doubts by leading the cogent evidence. It is the duty of the person to prove the allegations which he alleges.

22. Since the respondent has not lead any evidence so their plea cannot be accepted hence discarded. On the other hand in the absence of any material available on record in rebuttal, the plea taken by the petitioner cannot be disbelieved.

23. So far as the arguments of the rspondent that the claim of the petitioner is hit by the principal of limitaton, in this regard I am of the view Limitation Act is not applicable to the I. D. Act, 1947. My view is based

upon a judgement cited AIR 2005 SC 1843. The Hon'ble Supreme Court has observed in para 17 of the above cited judgment as under :—

“17. In Nedungada Bank Ltd. (Supra) a Bench of this court, where S. Saghir Ahmed was Member (His Lordship was also a member in Ajaib Singh (Supra) opined :

6. Law does not prescribe any time limit for the appropriate Government to exercise its powers under section 10 of the Act. It is not that this power can be exercised at any point of time and to revive matters which had since been settled. Power to be exercised reasonably and in a rational manner. There appears to us to be no rational basis on which the Central Government has exercised powers in this case after a lapse of about seven years of the order dismissing the respondent from service. At the time reference was made no industrial dispute existed or could be even said to have been apprehended. A dispute which is stale could not be the subject matter of reference under section 10 of the Act. As to when a dispute can be said to be stale would depend on the facts and circumstances of each case. When the matter has become final, it appears to us to be rather incongruous that the reference be made under section 10 of the Act in the circumstances like the present one. In fact it could be said that there was no dispute pending at the time when reference in question was made.”

24. In another judgement cited 1999-6 SCC in which it has been observed by the Hon'ble Supreme Court in para 10 of the judgement as under :—

“10. It follows, therefore, that the provisions of Article 137 of the schedule to the Limitation Act, 1963 are not applicable to the proceedings under the Act and that relief under it cannot be denied to the workman merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence.

No reference to the labour court can be generally questioned on the ground of delay alone. Even in a case where delay is shown to be existing, the Tribunal, Labour Court or Board, dealing with the case can appropriately mould the relief by declining to grant back-wages to the workman till the date he raised the demand regarding his illegal retrenchment/termination or dismissal. The Court may also in appropriate case direct the payment of part of the back wages instead of full back wages. Reliance of the learned counsel for the respondent management on the full bench judgement of the Punjab and Haryana High Court in Ram Chander Morya versus State of Haryana is also of no help to him. In that case the High Court nowhere held that the provisions of Article 137 of the Limitation Act were applicable in the proceedings under the Act. The Court specifically held neither any limitation has been provided nor any guidelines to determine as to what shall be the period of limitation in such cases. However, it went on further to say that "reasonable time in the cases of labour for demand of reference or dispute by appropriate Government to Labour Tribunals will be five years after which the Government can refuse to make a reference on the ground of delay and laches if there is no explanation to the delay".

We are of the opinion that the Punjab and Haryana High Court was not justified in prescribing the limitation for getting the reference made or an application under section 33-c of the Act to be adjudicated. It is not the function of the court to prescribe the limitation where the legislature in its wisdom had thought it fit not to prescribe any period. The Court admittedly interprets law and does not make laws. Personal views of the judges presiding over the court cannot be stretched to authorize them to interpret law in such a manner which would amount to legislation intentionally left over by the legislature. The judgement of the full Bench of the Punjab and Haryana High Court has completely ignored the object of the Act and various pronouncements of this Court as noted hereinabove and thus is not a good law on the point of the applicability of the period of limitation for the purposes of invoking the jurisdiction of the courts/boards and tribunals under the Act."

25. So it is safe to say that provisions of Article 137 of the Schedule to the Limitation Act, 1963 are not applicable to the proceedings under the Act and the relief under it cannot be denied to a workman merely on the ground of delay.

26. Now, the second question comes for consideration whether the petitioner has abandoned the services at his own. AR for workman has also relied upon the judgments in case *M/s Nicks (India) Tools Vs. Ram Surat and anr.* JT 2004 (7) SC 320 :

"*M/s Nicks (India) Tools Vs. Ram Surat and anr.* (Supra). Hon'ble Supreme Court has, *inter alia*, held as under :—

Since the respondent workman was in the service of the appellant Management ... the burden of proving that he voluntarily left the services then falls on appellant Management."

27. Coming to the present matter, undisputedly, it is admitted fact that the workman was employee of the Management. Hence, in the light of above judgement, the burden to prove that the workman left the service voluntarily lies upon the respondent.

28. In *Shiv Kumar Vs. Hansita* (Supra). Hon'ble High Court has held as under :—

It is a settled position that the abandonment of service cannot be readily inferred. Abandonment of service is a question of intention which can be gathered from the totality of the facts and circumstances of each case. There has to be a clear evidence on record to show that despite grant of reasonable opportunity to the employee by the Management, he failed to join back his duties without any sufficient reasons and therefore in the absence of any such cogent and convincing evidence, voluntarily abandonment on the part of the employee cannot be readily inferred..... The petitioner who had put in 16 years of long service is not expected to be thrown out of employment just based on three UPC letters purported to have been sent to him requiring him to join back his duties. Had the petitioner been not willing to

join back his duties, he would not have sent demand notices just within a period of one-and-a-half month of his termination and immediately thereafter having raised an Industrial Dispute. Hence, the totality of the facts do not justify that in the aforesaid backdrop of the circumstances, the petitioner would voluntarily abandon his services. It is not in dispute that the respondent did not issue any memo or set up an enquiry for the unauthorized absenteeism of the petitioner from his duties and it is quite evident that with the help of such UPC letters, the respondent prepared the ground to circumvent the legitimate right of the petitioner."

29. The service of the petitioner was terminated and the mandatory processure for the retrenchment or the closer of the school has not been followed by the respondent. If at all just for arguments sake the plea of the respondent is taken to be true then it was the duty of the respondent to issue notice to the petitioner on his failure to attend his duties. There is nothing on record which could prove that any notice on the part of the respondent was ever issued. The fact and conduct of the respondent speaks itself for the arbitrariness. It has also come in the evidence that the other staff members of the school were absorbed by the respondent thereby ignoring the petitioner without any justification. Nor any compensation under the labour laws was provided to the petitioner. The petitioner had been performing his duties for the last more than 15 years under the control of the respondent and he has been ignored for the reasons best known to the management. It is the cardinal principle first come last go. The petitioner was never informed of his absence from the duty. It means that the petitioner was terminated by the respondent without adopting the legal procedure meant for the same. In the present matter, admittedly, no notice or notice pay etc. has been given to the petitioner, therefore, the termination of the workman amounts to illegal termination. Once it is held that the termination was illegal, the workman was entitled for legal benefits. The respondent has utterly failed to prove that the petitioner has himself abandoned the services of the respondent. The net result of the above discussion is that issue No. 1 is decided in favour of the petitioner and against the respondent.

Issue No. 2

30. Before proceedings further, the provisions of section 25-F of Industrial Dispute Act are imperative to reproduce :

Section 25-F :—Condition precedent to retrenchment of workman—No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice :
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay (for every completed year of continuous service) or any part thereof in excess of six months ; and
- (c) -----

From bare perusal of section 25-F, it is found that the workman who has completed 240 days in the year preceding his termination cannot be retrenched without giving one month notice and notice pay etc.

31. In case Mohan Lal V/s Bharat Electronics Ltd. (1981) II LLJ 70(SC), it was held by Hon'ble Supreme Court that, "termination of service of a workman for any reason other than those excepted in section 2 (00) amounts to retrenchment. If prerequisite for a valid retrenchment have not been complied with, the termination of service would be void *abi initio*. Therefore, the workman would be entitled to a declaration that the workman continued to be in service with all consequential benefits.

32. The reliance can also be made in Case Ramesh Kumar Vs. State of Haryana, 2010 (I) LLJ 821 SC, wherein, Hon'ble Supreme Court has held that once the workman has completed 240 days, the workman cannot be terminated without notice.

33. In the present case, admittedly, no notice or notice pay etc. has been given to the petitioner, and the termination of the workman has been held illegal termination. Once it is held that the termination was illegal, the workman is entitled for legal benefits.

34. From the perusal of the above stated provisions of section 25-F of I. D. Act, 1947, it is mandatory for the respondent/management to abide by the provisions of the I. D. Act. But in this case the respondent on the one hand has admitted in his objections that due to losses caused to the school, it was closed on 07-05-2003 and the staff of the school including teaching and non-teaching was terminated and on the other hand it has been contended by the management that an agreement was signed with the respondent and the Rathore Education and Research Foundation. If the school was closed on 07-05-2003 then the observation of the staff is immaterial because of the reason that the staff of the school is entitled to be considered for the compensation and if possible, to adjust them in other schools of the respondent as it was done by the respondent while closing their school at Udhampur. It has come in the evidence that respondent is running various schools in Jammu province and it has been the practice to absorb the staff of the closed school in other schools of the respondent.

35. In the present matter, admittedly, no notice or notice pay etc. has been given. Therefore, the termination of the workman amounts to illegal termination. Once it is held that the termination was illegal, the workman was entitled for legal benefits.

36. The Hon'ble Supreme Court in the Management of Panitole Tea Estate Vs. The workmen 12, while dealing with the judicial discretion of the Labour Court or the Tribunal under ID Act in directing appropriate relief on setting aside the wrongful dismissal of a workman, stated in paragraph 5 (Pgs. 746-747) as follows :—

"....The question whether on setting aside the wrongful dismissal of a workman he should be reinstated or directed to be paid compensation is a matter within the judicial discretion of the Labour Court or the Tribunal, dealing with the industrial dispute, the general rule in the absence of any special circumstances being of reinstatement. In exercising this discretion, fair play towards

the employee on the one hand and interest of the employer, including considerations of discipline in the establishment, on the other, require to be duly safeguarded. This is necessary in the interest both of security of tenure of the employee and of smooth and harmonious working of the establishment. Legitimate interests of both of them have to be kept in view of the order is expected to promote the desired objective of industrial peace and maximum possible production. The past record of the employer, the nature of the alleged conduct for which action was taken against him, the grounds on which the 11 (1969) 3 SCC 653 12 (1971) 1 SCC 742 order of the employer is set aside, the nature of the duties performed by the employee concerned and the nature of the industrial establishment are some of the broad relevant factors which require to be taken into consideration. The factors just stated are merely illustrative and it is not possible to exhaustively enumerate them. Each case has to be decided on its own facts and no hard and fast rule can be laid down to cover generally all conceivable contingencies."

37. It has also been observed in 2003 LLR 136 by Hon'ble Allahabad High Court in a case titled M/s DCM Ltd. Vs. State of Uttar Pradesh and Ors. as under :—

"UP Industrial Disputes Act 1947-section 2(S) and 6N-Industrial Disputes Act 1947 section 25-F-retrenchment-striking off the name of workman from the rolls constitutes retrenchment conditions precedent for valid termination as contemplated by section 6N or 25-F of Central Act not complied with labour court rightly held that termination of service amounted to illegal retrenchment- was not gainfully employed-rightly awarded full back wages".

38. In M/s Tulsidas Paul Vs. The Second Labour Court, W. B. and Others 13, this Court relied upon M/s Hindustan Steels Ltd. 10 and held as under :—

"9. In Hindustan Steels Ltd. Vs. Roy [(1969) 3 SCC 513] we recently held, after considering the previous case-law, that though

the normal rule, in cases where dismissal or removal from service is found to be unjustified, is reinstatement, Industrial Tribunals have the discretion to award compensation in unusual or exceptional circumstances where the tribunal considers, on consideration of the conflicting claims of the employer on the one hand and of the workmen on the other, reinstatement inexpedient or not desirable. We also held that no hard and fast rule as to which circumstances would constitute an exception to the general rule can be laid down as the tribunal in each case must, in a spirit of fairness and justice and in keeping with the objectives of industrial adjudication, decide whether it should, in the interest of justice, depart from the general rule.”

39. Reliance is also placed on 2013 AIR SCW 5330 wherein the Hon’ble Supreme Court has observed in para 33 of the Judgement which is reproduced as under :—

“Para 33, the propositions which can be called out from the aforementioned judgement are :—

- (i) In cases of wrongful termination of service, reinstatement with continuity of service, and back wages is the normal rule ;
- (ii) The aforesaid rule is subject to the rider that while deciding the issued of back wages, the adjudicating authority or the Court may take into consideration the length of service of the employee/workman, the nature of misconduct, if any, found proved against the employee/workman, the financial condition of the employer and similar other factors ;
- (iii) Ordinarily, an employee or workman whose services are terminated and who is desirous of getting back wages is required to either plead or at least make a statement before the adjudicating authority or the court of first instance that he/she was not gainfully employed or was employed on lesser wages. If the employer wants to avoid payment of full back wages , then it has to plead and also lead cogent

evidence to prove that the employee/workman was gainfully employed and was getting wages equal to the wages he/she was drawing prior to the termination of service. This is so because it is settled law that the burden of proof of the existence of a particular fact lies on the person who make a positive averment about its existence. It is always easier to prove a positive fact than to prove a negative fact. Therefore, once the employee show that he was not employed, the onus lies on the employer to specifically plead and prove that the employee was gainfully employed and was getting the same or substantially similar emoluments ;

- (iv) The cases in which the labour Court/Industrial Tribunal exercises power under section 11-A of the industrial Disputes Act, 1947 and find that even though the inquiry held against the employee/workman is consistent with the rule of natural justice and/or certified standing orders, if any, but hold that the punishment was disproportionate to the misconduct found proved, then it will have the discretion not to award full back wages. However, if the Labour Court/Industrial Tribunal finds that the employee or workman is to at all guilty of any misconduct or that the employer had foisted a false charge, then there will be ample justification for award of full back wages ;
- (v) The cases in which the competent Court or Tribunal finds that the employer has acted in gross violation of the statutory provisions and/or the principles of natural justice or is guilty of victimizing the employer or workman, than the concerned Court or Tribunal will be fully justified in directing payment of full back wages. In such cases, the Superior Courts should not exercise power under Articles 226 or 136 of the Constitution and interfere with the award passed by the Labour Court, etc., merely because there is a possibility of forming a different opinion on the entitlement of the employee/workman to get full back wages or the employer's

obligation to pay the same. The court must always be kept in view that in the cases of wrongful/illegal termination of service, the wrongdoer is the employer and sufferer is the employee/workman and there is no justification to give premium to the employer of his wrongdoings the relieving him of the burden to pay to the employee/workman his dues in the form of full back wages ;

- (vi) In a number of cases, the superior courts have interfered with award of the primary adjudicatory authority on the premise that finalization of litigation has taken long time ignoring that in majority of case, the parties are not responsible for such delays. Lack of infrastructure and manpower is the principal cause for delay in the disposal of cases. For this the litigants cannot be blamed or penalized. It would amount to grave in justice to an employee or workman if he is denied back wages simply because there is long lapse of time between the termination of his service and finality given to the order of reinstatement. The courts should bear in mind that in most of these cases, the employer is in an advantageous position vis-a-vis the employee or workman. He can avail the services of the best legal brain for prolonging the agony of the sufferer, i. e. the employee or workman, who can ill afford the luxury of spending money on a lawyer with certain amount of frame. Therefore, in such cases it would be prudent to adopt the course suggested in *Hindustan Tin Works Private Limited Vs. Employee of Hindustan Tin Works Private Limited* (AIR 1979 SC 75) (supra) ;
- (vii) The observation made in *J. K. Synthetics Ltd. Vs. K. P. Aggarwal* (supra) that on reinstatement the employee/workman cannot claim continuity of service as of right is contrary to the ratio of the judgement of the judge Benches referred to hereinabove and cannot be treated as good law. This part of the judgement is also against the very concept of reinstatement of an employee/workman”.

40. In the circumstances of the case, it is held that the termination of the petitioner by the management is illegal, unwarranted, uncalled for and against the principles of natural justice and the termination of the petitioner is set aside with the direction to the respondent to reinstate the petitioner and take him back into the services in their school known as M. H. A. C. School at Nagbani as it has been done in other cases while closing their school at Udhampur or other occasions, if he is within the age group and has not reached the age of superannuation. Since the petitioner is within the age group to perform his duties and does not attain the age of superannuation. Petitioner is also held entitled to back wages along with any promotion if granted to any other workman junior to him thereby restoring his dues seniority in appropriate place with the direction to pay the back wages to the petitioner along with 10% annual interest within the period of three months alongwith other consequential benefits from the date of publication of the award. As such award is passed in favour of the petitioner and against the respondents. Let copy of the award be sent to appropriate Government for necessary action and its publication. File shall consign to records after its due completion.

Announced :

15-07-2014

(Sd.) KISHORE KUMAR,

District and Sessions Judge
(Presiding Officer).
Industrial Tribunal/Labour Court,
J & K, Srinagar/Jammu.



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 127]

Jammu, Thu., the 27th Nov., 2014/6th Agra, 1936.

[No. 35

CONTENTS	English Pages	Vernacular pages
PART I-A— Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	254-264	
PART I-B- Notifications, Communiques and General Orders by the Government and the Ministers		
PART II-A- Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments	323-332	
PART II-B- Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule	57-58	
PART II-C- Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal	489-510	
PART III- Laws, Regulations and Rules passed thereunder		
PART IV- Reprints from the Government of India Gazette or Gazettes of others Governments		
PART V- Information and Statistics (a) Rates and prices in the State (b) Rates and wages (c) Crop Report and Forecasts (d) Weather Observations (e) Vital Statistics		
SUPPLEMENT-A-Trade Monthly Imports and Exports from the State		
SUPPLEMENT-B-Police		
SUPPLEMENT-C-Advertisements	131-132	181-188

Printed at the Ranbir Government Press, Jammu.

PART I-A

Jammu & Kashmir Government-Orders

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR.

Order

No. 289 Dated 14-07-2014.

In exercise of powers vested under Rule 186 of Jammu and Kashmir High Court of Rules, 1999, Hon'ble the Chief Justice has been pleased to appoint below mentioned Advocates as Oath Commissioners from the date of order and for the areas and period shown against each of them :—

S. No.	Name of the Applicant	Area	Period for practice as an Oath Commissioner
1.	Ehsan Mahajan	District and Sessions Court, Kathua	2 years
2.	Mohd. Azhar Shah	District Court Complex, Kishtwar	2 Years
3.	Youginder Singh	District and Sessions Court, Ramban	2 years
4.	Parvinder Singh	Sub-Judge Court, Nowshera (Rajouri)	2 Years
5.	Adrash Kumar	District and Sessions Court, Kathua	2 years

The Oath Commissioners, so appointed shall strictly comply with the conditions laid down in the Oath Commissioners' Rules and maintain requisite registers and receipt books as required under Rules 190 to 195 of the said rules.

By order.

(Sd.) SURESH KUMAR SHARMA.

Registrar General.

Notification

No. 328 Dated 08-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Sarfaraz Nabi Lone S/o Mr. Gh. Nabi Lone R/o Wagub, Sopore, District Baramulla has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-230/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 329 Dated 08-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Ishfaq Ahmad S/o Mr. Mohd. Munawar Wani R/o Madmadow, Kalaroos, Kupwara has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-237/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 330 Dated 08-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Zubair Hussain Gul S/o Mr. Ghulam Qadir Gul R/o Maisuma, Gow Kadal 'B', Srinagar has been admitted and enrolled as an Advocate on the

Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-245/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 331 Dated 08-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Abu Adil S/o Mr. Mohd. Abdullah Pandit R/o Nowpora, Khanyar, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-250/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 332 Dated 08-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Salih Pirzada S/o Mr. Shurjeel Azim R/o 55, Rambagh, Near Diamond Silks Factory, Rambagh, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-258/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 334 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Raja Zubair Hussian S/o Mr. Bashir Ahmad Mir R/o H. No. 176, Green Park, SDA Colony, Bemina, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-267/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 335 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Anwar-ul-Haq S/o Mr. Amin-ul-Haq R/o Lower Ujhan (A), Mohalla Lamwala, Ward No. 2, Tehsil Darhal, District Rajouri has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-247/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 336 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Sameer Bakshi S/o Mr. Bharat Bhushan R/o 77, Sector-1-A, South Extension Trikota Nagar, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-270/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered theretofore.

Notification

No. 337 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Waseem Rasool Dar S/o Mr. Gh. Rasool Dar R/o Bulpura, Near Aircel Tower, Badipora, Chadoora has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-234/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered theretofore.

Notification

No. 339 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Sushant Samnotra S/o Mr. Vidhiya Sagar Sharma R/o Floora, Nagbani, Jammu has been admitted and enrolled as an Advocate on the Roll of

Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-242/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 340 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Saquib Khalil S/o Mr. Khalil Ahmad Banday R/o H. No. 46, Ward No. 13, Old Diet, Azamabad, Mandi, Poonch has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-252/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 341 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Ms. Priyanka Gupta S/o Mr. Vishawindu Gupta R/o 12-A, Patel Nagar, Last Morh, Gandhi Nagar, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-228/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 342 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Sonal Vaid S/o Mr. Jugal Kishore R/o Ward No. 11, Vijaypur, Samba has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-254/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 344 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Ms. Shahnaz Sharief D/o Mr. Mohd. Sharief Khan R/o Limber, Boniyar, Baramulla, Khan Mohalla has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-260/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license enrolment must be sought before the date of expiry unless the absolute final enrolment as an Advocate is ordered therebefore.

Notification

No. 345 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Sourab Sarangal S/o Mr. Mohinder Kumar R/o Ward No. 1, House No. 40, Ramgarh, Samba has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-248/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 346 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Wasim Hassan S/o Mr. Gh. Hassan Parray R/o Ratnipora, Budgam, District Budgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-234/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 347 Da 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Ms. Neena Thakur D/o Mr. Karp Singh Thakur R/o, P/O Kishenpur, Mench, Jammu has been admitted and enrolled as an Advocate on the

Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-232/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 348 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Ram Charan Bhagat S/o Mr. Jugal Kishore Bhagat R/o Hatta, Tehsil and District Kishtwar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-226/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 349 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Vishav Deepak Suri S/o Mr. Krishan Lal Suri R/o H. No. 132, Street Opp. Dak Bungalow, Durugiran, Residency Road, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-251/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 350 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Mr. Rakesh Kumar S/o Mr. Madan Lal R/o Gopal Nagar, Kundrorian, Katra, Tehsil and District Reasi has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-266/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 351 Dated 14-07-2014.

It is hereby notified that vide High Court Order dated 07-07-2014 Ms. Roomil Jan D/o Mr. Ab. Hamid Naik R/o Reshipora, Kulgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-262/14 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Corrigendum

Please read JK-502/13 instead of JK-462/13 in provisional Licence enrollment Notification No. 542 dated 19-09-2013 issued to Mr. Mohd. Yaseen Khan S/o Mr. Gh. Nabi Khan R/o Sher Abad, Pattan.

By order.

(Sd.) G. M. PARRAY.

Deputy Registrar (Adm.).

Order

No. 283 Dated 09-07-2014.

It is hereby notified that Ms. Ulfat Aamina Bhat D/o Mr. Bashir Ahmad Bhat R/o Gole Market West, H. No. 87 (1-2), Karan Nagar, Srinagar has requested for cancellation of her enrollment vide her application dated 25-06-2014 for pursuing LLM Course. Therefore, her enrollment certificate No. JK-508/13 is treated as cancelled.

By order.

(Sd.) MOHAMMAD YASIN BEIGH.

Joint Registrar.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Thu., the 27th Nov., 2014/6th Agra., 1936. [No. 35

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATI RAJ.**

Subject :—Creation and operationalization of the New Administrative units.

Reference :—Cabinet Decision No. 128/11/2014 dated 16-07-2014.

Government Order No. 222-RD&PR of 2014

Dated 23-07-2014.

Sanction is hereby accorded to —

- (A) Creation and operationalization of 177 New Community Development Blocks (CD Blocks) as per District-Wise details given in Annexure "A".**

(B) Creation of following posts in J&K Department of Rural Development and PR for making New CD Blocks functional :—

S. No.	Designation	Pay Scale	No. of Posts
1.	Block Development Officer	9300-34800+4800	177
2.	Assistant Engineer	9300-34800+5200	177
3.	Assistant Accounts Officer	9300-34800+4600	177
4.	Statistical Officer (Plg.)	9300-34800+4600	177
5.	Junior Assistant-cum Computer Operator	5200-20200+1900	177
6.	Orderly	4400-7740+1300	354
Total			1239

(C) Creation of permanent infrastructure for new CD Blocks viz. Office Block and Residential Block for housing the BDO Office and the Block Development Officer concerned @ Rs. 40.00 lac per unit in summer zone and Rs 42.00 lac per unit in winter zone for office accommodation and Rs. 32.50 lac per unit for summer zone and Rs 34.50 lac in winter zone for residential accommodation.

(D) Designation of Assistant Commissioner's, Development as Nodal Officer's for the respective district's to identify suitable premises preferably Panchayat Ghars or rented accommodation where Panchayat Ghars are not available, for making the new units functional. The identification shall be completed within 15 days from the date of issue of this order.

(E) Purchase of the office automation equipment/furniture for being provided to the new CD Blocks at an average scale of Rs 3.00 lacs/

CD Block for which funds are being released by Planning and Development Department shortly through Director, Rural Development, Jammu/Kashmir.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAFAT NOOR BARLAS, IAS,

Secretary to Government,
Department of Rural Dev. & PR.

**Annexure "A" to Govt. Order No. 222-RD&PR of 2014
Dated 23-07-2014.**

S. No.	District	CD Blocks
1	2	3
1.	Doda	1. Dali-Udyanpur 2. Khellani 3. Kahra 4. Changa 5. Chilli Pingal to be Hq. at Tendla 6. Jakyas 7. Bhalla 8. Chirala 9. Kasti Garh
2.	Jammu	1. Bhalwal Brahmana 2. Mathwar 3. Maira Mandrian 4. Miran Sahib 5. Mandal Phallai 6. Arnia 7. Samwan 8. Chowki Chowra 9. Khrah Balli 10. Nagrota 11. Pargwal 12. Suchet Garh

1	2	3
3.	Kathua	<ol style="list-style-type: none"> 1. Keerian Gadiyal (Lakhanpur) 2. Bhoond 3. Darmahanpur 4. Dugain 5. Mandli 6. Dinga Amb 7. Nagri 8. Beggan 9. Nagrota Gujroo 10. Mahanpur 11. Merheen
4.	Kishtwar	<ol style="list-style-type: none"> 1. Palmar 2. Tregam 3. Mughal Maidan 4. Bunjwah 5. Thakrai
5.	Poonch	<ol style="list-style-type: none"> 1. Nangali Sai Baba 2. Sathra 3. Loran 4. Lassana 5. Mankote
6.	Rajouri	<ol style="list-style-type: none"> 1. Plangar 2. Lamberi 3. Qila Darhal 4. Dangri

1	2	3
		5. Seote
		6. Seri
		7. Budhal
		8. Khwas
		9. Moghla
		10. Panjgrian
7.	Ramban	1. Khari (Mahu Magat)
		2. Ukhral
		3. Gudi-Dharam
		4. Gandhri
		5. Batote
		6. Rajgarh
		7. Sangaldan
8.	Reasi	1. Thakrakote
		2. Thuroo
		3. Panthal
		4. Gulabgarh
		5. Jij Bagli
		6. Bhomag
		7. Chassana
		8. Katra
9.	Samba	1. Sumb
		2. Nud
		3. Purmandal (Bari Brahmana)
		4. Rajpora
		5. Ramgarh

1	2	3
10.	Udhampur	<ol style="list-style-type: none"> 1. Latti Marothi 2. Kulwanta 3. Khoon 4. Parly Dhar Hq. at Rang 5. Mounгри 6. Chanunta 7. Sewna 8. Nasru 9. Jaganoo
11.	Anantnag	<ol style="list-style-type: none"> 10. Tikri 1. Vessu 2. Chitragul 3. Sagam 4. Hiller Shahabad 5. Verinag 6. Bejjbehra 7. Pahalgam 8. Larnoo 9. Anantnag
12.	Bandipora	<ol style="list-style-type: none"> 1. Naidkhai 2. Nowgam 3. Ganastan 4. Baktoor 5. Arin 6. Banokot 7. Aloosa
13.	Baramulla	<ol style="list-style-type: none"> 1. Kandi belt of Rafiabab 2. Nadihal

1	2	3
		3. Sangrama
		4. Wayal
		5. Khaipora (out of Tangmarg)
		6. Sherabad (out of Kunzar and Pattan)
		7. Lalpora (out of Singhpora, Kunzer and Pattan)
		8. Noorkha
		9. Paranpilla
		10. Hard Abura
		11. Narwah
		12. Tujjar Sharief
		13. Bijhama
		14. Chandilwanigam
14.	Budgam	1. Waterhail
		2. Rathsun
		3. Pakherpora
		4. Surasyar
		5. S. K. Pora
		6. Parenewa
		7. Chari Sharief
		8. Sukhnag
		9. Soibugh
15.	Ganderbal	1. Sher Pathree
		2. Safapora
		3. Gund
16.	Kulgam	1. Kund
		2. Manzgam
		3. Frisal
		4. Pombay

1	2	3
		5. Behigagh
		6. D. K. Marg
17.	Kupwara	1. Qadir Abad (Hirri)
		2. Radi Chowkibal
		3. Dragmulla
		4. Meelyal (Pahari Block)
		5. Tarathpora
		6. Nutnusa
		7. Hyhama
		8. Machil
		9. Magam
		10. Mawar (Qalamabad)
		11. Qaziabad (Hq. Sopare Naghama)
		12. Handwara
		13. Keran
18.	Pulwama	1. Litter with Hq. at Lassipora
		2. Dadsara
		3. Newa
		4. Awantipora
		5. Shahdimarg
		6. Aripal
19.	Shopian	1. Keller
		2. Kanjhullar
		3. Ramnagri
		4. Imamsahib
		5. Kaprin
		6. Chitragam
		7. Zainpora
		8. Harmain

1	2	3
20.	Srinagar	1. Harwan (Rural area Dhara) 2. Khanmoh 3. Srinagar Central 4. Srinagar South 5. Srinagar North
21.	Kargil	1. Karsha 2. Pashkum 3. Bhimbat (Drass) 4. Barsoo Nala 5. Lotsum 6. Sodh
22.	Leh	1. Rong Hq. at Chumthang 2. Rupsho with Hq. at Puga 3. Skyurbachan 4. Thiksay 5. Nemo 6. Turtuk 7. Singay Lalak Wanla (Khalsi)



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu. Thu., the 27th Nov., 2014 6th Agra., 1936. [No. 35

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In compliance to Government Order No. 301-FST of 2014 dated 13-10-2014 issued vide Secretary to Govt., Forest Department's endorsement No. FST/Ser/Cabinet/32/2014 dated 13-10-2014, we the undersigned have handed over and taken over the charge of Director, Forest Protection Force, J&K today on 13th of October, 2014 (A. N.).

(Sd.) RAVI KUMAR KESAR, I.F.S.

Relieved Officer.

(Sd.) S. K. GUPTA, I.F.S.

Relieving Officer.

58 The J&K Govt. Gazette, 27th Nov., 2014 6th Agra., 1936, [No. 35

In pursuance of Government Order No. 3671-L.D(A) of 2014 dated 11-11-2014, I have assumed the charge as Presiding Officer of the Office of Industrial Tribunal-cum-Labour Court, Jammu and Kashmir State with effect from 11th day of October, 2014 Forenoon.

This communication is addressed to you for information.

(Sd.) ZUBAIR AHMAD RAZA.

District and Sessions Judge,
Presiding Officer,
Industrial Tribunal/Labour Court.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Thu., the 27th Nov., 2014/6th Agra., 1936. [No. 35

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of the Departments.

**OFFICE OF THE COLLECTOR, LAND ACQUISITION,
PWD, JAMMU.**

Notification

In exercise of the powers conferred by section 4 (1) of the Land Acquisition Act, Samvat 1990. I, Surjeet Singh, KAS, Collector, Land Acquisition, PWD (R&B), Jammu hereby notify the particulars of land given below is needed for public purpose namely for construction of link road from Shikha Peer to Chak Jhr, Block Marh in Village Halqa, Tehsil and District Jammu. All the persons having interest in the land may file the objection, if any regarding acquisition of land before the undersigned within fifteen days of the issuance of this notification in the newspapers.

Particulars				
District	Tehsil	Village	Khasra Nos.	Area
				K. M.
Jammu	Jammu	Halqa	2 min	00-18
			2 min	02-02
			Total	03-00

(Sd.) SURJEET SINGH, KAS.

Collector,
Land Acquisition, PWD,
Jammu.

OFFICE OF THE EXECUTIVE ENGINEER, RAVI CANAL
CONSTRUCTION, UPPER DIVISION, KATHUA.

Sh. Surinder Kumar, Civil Helper
S/o Sh. Thuru Ram
R/o Nanan, Tehsil and District Kathua.

No. RCU/1164-68
Dated 19-07-2014.

Subject :—Absent from duty.

Reference :—This office Letter No. RCU/586-87 dated 05-06-2014.

(Final Notice)

You have been unauthorizedly absent from duty w. e. f. 20-02-2014. In this regard a Notice and subsequently Notices were mailed to your home vide this office Letter No. RCU/961-63 dated 30-06-2014 and No. RCU/961-63 dated 30-06-2014.

Now, the final notice is being served upon you with the direction to resume your duty within 7 days from the date of publication in the

newspaper justifying the cause of your long unauthorized absence from duty failing which your service will stand terminated on the expiry of stipulated period without any further notice.

(Sd.).....

Executive Engineer,
Ravi Canal, Upper Division,
Kathua.

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER/
COLLECTOR LAND ACQUISITION, HANDWARA.

Subject :—Land Acquisition case of Handwara Lach Nowgam Road for
Village Chontipora.

Notification under section 4 of State Land Acquisition Act.

Corrigendum

Corrigendum for below mentioned Khasra No. as per details given is issued for information of general public and interested person(s) in particular for filing of objections in writing, if any, within 15 (fifteen) days from the date of publication in Daily Newspaper (s). No objection shall be entertained or accepted after expiry of the stipulated period.

Particulars of Land

District	Tehsil	Village	Khasra Nos.	Area
Kupwara	Handwara	Chontipora	399,400	K. M. 01-05

(Sd.)

Additional Deputy Commissioner,
Collector, Land Acquisition,
Handwara.

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER,
COLLECTOR, LAND ACQUISITION, HANDWARA.

Subject :—Land Acquisition case for Escape/Supply Channel of
Kathi Nar Storage Tank at Village Baderkal, Handwara.

Notification under section 4 of State Land Acquisition Act.

This office is in receipt of revenue papers from Tehsildar, Handwara and duly authenticated by Executive Engineer, Irrigation and Flood Control, Division Handwara vide No. 15 dated 04-04-2014. The details of land mentioned below, is hereby notified for information of general public and interested person(s) in particular for filing of objections in writing, if any, within 15 (fifteen) days from the date of publication in Daily Newspaper(s).

Details of Land

District	Tehsil	Village	Khasra No.	Area
				K. M.
Kupwara	Handwara	Baderkal	56 min	01-00

(Sd.)

Additional Deputy Commissioner,
Collector, Land Acquisition,
Handwara.

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER,
COLLECTOR, LAND ACQUISITION, HANDWARA.

Subject :—Land Acquisition case of Ab. Razak Hajam S/o Mohd. Jamal
R/o Nowgam under acquisition for Irrigation Canal, Nowgam.

Notification under section 4 of State Land Acquisition Act.

This office is in receipt of revenue papers of land from Tehsildar, Handwara duly authenticated by Executive Engineer, Irrigation and Flood

Control. Division Handwara vide No. 69 dated 07-04-2014 for acquisition of land for Irrigation Canal at Nowgam. The details of land mentioned below is hereby notified for information of general public and interested person(s) in particular for filing of objections in writing, if any, within 15 (fifteen) days from the date of publication in daily newspaper(s).

Details of Land

District	Tehsil	Village	Khasra No.	Area
				K. M.
Kupwara	Handwara	Nowgam	1299 min	00 12

(Sd.)

Additional Deputy Commissioner,
Collector, Land Acquisition,
Handwara.

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER,
COLLECTOR, LAND ACQUISITION, HANDWARA.

Subject :- Acquisition of land /structures/trees involved in construction of Satkoji-Rohanzeb Road.

Notification under section 4 of State Land Acquisition Act.

Corrigendum

Corrigendum for notification under section 4 of State Land Acquisition Act issued by this office vide No. ADC/LA/12/340-50 dated 25-07-2013

as per details given below is issued for information of general public and interested person(s) in particular for filing of objections in writing, if any, within 15 (fifteen) days from the date of publication in daily newspaper(s). No objection shall be entertained or accepted after expiry of the stipulated period.

Details of Land

District	Tehsil	Village	Khasra Nos.	Area
				K. M.
Kupwara	Handwara	Satkojin	802	00-19½
			803	00-06½
			Total	01-06

(Sd.)

Additional Deputy Commissioner,
Collector, Land Acquisition,
Handwara.

OFFICE OF DEPUTY CUSTODIAN EVACUEE PROPERTY,
KATHUA.

Notification

Dated 24-03-2014.

In pursuance of sub-section (1) of section 6 of the Jammu and Kashmir Evacuees (Administration of Property) Act, VI of 2006, the Deputy Custodian is pleased to notify for general information the list of the Evacuees' properties specified in schedule annexed hereto, which have vested in him.

Schedule		
S. No.	Description	Locality
1	2	3
1.	Land measuring 203 Kanlas 13 Marlas comprising Khasra Nos. 407 (22-17), 408 (15-08), 409 (00-07), 770/421 (03-01), 392 (12-19), 697/495 (07-00), 704/688/556/ 501 (07-15), 372 (00-03), 373 (10-11), 399 (08-09), 394 (06-17), 395 (07-01), 496 (28-17), 500 (30-10), 720/403 (15-12) and 404 (26-06) belonging to Qutab Din S/o Dulla (Gujjar), Naseeb Din S/o Bader Din, Shafi S/o Rehman Gujjar ali resident of Khilo Chak Chhan Rorian, Tehsil Hiranagar, District Kathua.	Village Seswan, Tehsil Hiranagar, District Kathua.

(Sd.).....

Deputy Custodian,
Evacuee Property, Kathua.

OFFICE OF THE DEPUTY COMMISSIONER
(DISTRICT COLLECTOR), PULWAMA.

Notification No. 59 of 2014

Dated 26-02-2014.

Whereas, the land specification of which is given at Annexure 'A' is required for construction of Tower No. 134 at Village Gudoora, Tehsil and District Pulwama,

Annexure 'A'				
District	Tehsil	Village	Survey No.	Area involved
Pulwama	Pulwama	Gudoora	101 min	06 Marlas

Whereas, notification as required under sub-section (1) of section 4 of the J&K Land Acquisition Act, Smvt. 1990 was issued by the Collector, Land Acquisition, PDD, MHP Bemina vide his No. LA-PDD/MHP/ 1105-1117 dated 11-01-2008;

Whereas, this office is satisfied after considering the report of Collector, Land Acquisition, PDD MHP, Bemina placed on the file, that the land is required for public purpose viz. construction of Tower No. 134 at Village Gudoora, Tehsil and District Pulwama.

Now, therefore, it is declared under section 6 of the said Act, that the land aforementioned is needed for Public Purpose. The Collector, Land Acquisition, PDD MHP, Bemina is directed under section 7 of the said Act to take order for acquisition of the land of which specifications are given above. The Collector is further allowed to take the possession of aforementioned land after completion of all formalities including those under sections 9 (2) and 17 A of the J&K Land Acquisition Rules and to finalize the final Award immediately.

(Sd.).....

Deputy Commissioner,
District Collector,
Pulwama.

OFFICE OF THE COLLECTOR LAND ACQUISITION (ACR), RAMBAN.

Notification

In exercise of the powers vested in me under section 4 of sub-section (1) of the J&K State Land Acquisition Act, 1990 Svt. I Dr. Tahir Firdous Dutta (KAS), Collector, Land Acquisition (ACR), Ramban do hereby notify that the below mentioned land is needed for public purpose namely for construction of "132 KV D/C Ramban-Khellani-Kishtwar transmission line at loc. No. 18-A" in Village Jhatgali, Tehsil and District Ramban.

Particulars of land				
District	Tehsil	Village	Khasra Nos.	Area
Ramban	Ramban	Jhatgali	145	K. M. 00-05
			146	00-11
			Total	00-16

Objections, if any, to the proposed acquisition shall be submitted to this Collectorate within 21 days from the date of publication of this notification.

(Sd.) TAHIR FIRDOOS DUTTA, KAS,

Collector, Land Acquisition (ACR),
Ramban.

OFFICE OF THE DEPUTY COMMISSIONER, NANDNI HILLS,
SAMBA.

Notification No. 06 DC of 2014

Dated 11-03-2014.

Whereas, the land whose specification is given below is required for the public purpose namely for construction of Link Road, Ramgarh to Nanga via Babral, Tehsil Samba.

Specification

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Samba	Samba	Babral	292	00-12
			293	00-08
			295	00-07
			297	00-08
			296	00-09
			301	00-08
			303	00-08

1	2	3	4	5
				K. M.
Samba	Samba	Babral	300	00-08
			304	00-01
			305	00-02
			306	00-03
			249	00-09
			172	00-05
			171	00-05
			170	00-02
			173	00-01
			169	00-08
			168	00-09
			166	01-09
			Total	07-02

Whereas, notification as required under sub-section (1) of section 4 of the Land Acquisition Act, 1990 Svt. was issued by the Collector Land Acquisition, Additional Deputy Commissioner, Samba vide his endt. No. ADC/LAS/13-14/884-90 dated 11-12-2013 ;

Whereas, I am satisfied after considering the report furnished by the Collector, Land Acquisition, Additional Deputy Commissioner, Samba vide his Letter No. DCS/LAS/13-14/1579 dated 10-03-2014 that the land is required for public purpose namely for construction of Link Road, Tehsil Samba.

Now, therefore, it is declared under section 6 of the said Act that the land aforementioned is needed for public purpose. Further, the Collector,

Land Acquisition, Additional Deputy Commissioner, Samba is directed under section 7 of the said Act to take order of acquisition for the land of which specifications are given above.

(Sd.).....

Deputy Commissioner,
Samba.

OFFICE OF THE ASSESSING AUTHORITY, COMMERCIAL
TAXES CIRCLE, DODA.

Notification

It has been reported by M/s Mukesh Garments, Amar Market, Kishtwar bearing TIN 01091221703 that 02C Forms bearing No. 04V 303810 and 04V 303811 have been destroyed in fire incident on 09-08-2013 at Kishtwar and the matter stands published in the following newspapers :—

1. Kashmir Times dated 22-02-2014.
2. Amar Ujala dated 22-02-2014.

The dealer has furnished an indemnity bond in this respect which is placed on record. Hence the below noted C Forms are hereby declared invalid for the purpose of section 6(e) of the CST Act, 1956.

Anybody fraudulently using the said C Forms will render himself liable for penal action as per law. Any person who finds the said C Forms will please return the same to the undersigned.

No. of C Forms : 02

S. No. of C Forms : 04V 303810 and 04V 303811

Name and Address of the dealer : M/s Mukesh Garments, Amar
Market, Kishtwar

Registration No. of the dealer : 01091221703

Whether lost/stolen/destroyed : Destroyed

Address of the dealer to whom issued : Not issued.

(Sd.).....

Assessing Authority,
Commercial Taxes,
Doda.

**OFFICE OF THE MUNICIPAL COUNCIL,
KATHUA.**

Notification

In exercise of the powers conferred upon me under sections 65, 66 and 68 of J&K Municipal Act, 2000, I, Santosh Kotwal, Chief Executive Officer, Municipal Council, Kathua hereby notify below mentioned Taxex/ Fee is liable to be increased and imposed within the Municipal Council, Kathua.

Any objection in this behalf to the Amendment of Taxex/Fee should be communicated to the undersigned within 30 days from the date of publication of this notification.

In case no objection is filed within stipulated period, the Taxes/Fee shall be treated as implemented under section 70 of J&K Municipal Act, 2000.

S. No.	Taxes/Fee on items	Old rates of Tax/Fee	Proposed rates of Tax/Fee
1	2	3	4
1.	Lorry Adda Fee on Buses	Rs. 10/-per trip	Rs. 20/-per trip
2.	Truck Unloading/Entry Fee	Rs. 20/-per trip	Rs. 25/-per trip
3.	Tractor Trolley used for Commercial purpose other than agriculture/religious purpose	Rs. 15/-per trip	Rs. 20/-per trip

1	2	3	4
4.	Matador/One Ton. Load Carrier/Tata mobile.	Rs. 05/-per trip	Rs. 10/-per trip
5.	Auto-Rickshaw/Three Wheeler.	Rs. 02/-per trip	Rs. 05/-per trip
6.	Three wheeler load carrier. Vikram Auto. Minidoor.	Rs. 03/-per trip	Rs. 05/-per trip
7.	Hoarding/Advertisement Fee	Rs. 20/-per trip	Rs. 30/-per trip
8.	Building Fee :		
	(i) Residential Building Fee	Rs. 3/-per sq. feet on slab area	Rs.6/-per sq. feet on slab area
	(ii) Commercial Building Fee	Rs.8/-per sq. feet on slab area	Rs. 15/- per sq. slab area
9.	Two Wheelers Parking Fee	Rs. 2/- per two wheeler, per entry, per day	Rs. 5/- per two wheeler, per entry, per day
10.	Car (LMV/Four Wheeled Vehicle)	Rs. 5/- per vehicle per entry, per day.	Rs. 10/- per vehicle, per entry, per day.

(Sd.).....

Chief Executive Officer,
Municipal Council, Kathua.

Name Change

I, Neeraj Kumar Ananda, son of Late Shri Munshi Ram born on 01-02-1974 residing at H. No. 127/B, Sector-4, Pamposh Colony, Janipur, Jammu 180007 shall henceforth be known as Neeraj Kumar Anand for all purposes, under the oath taken vide affidavit AI 605534 before First Class Judicial Magistrate, Jammu.

Correction

My Mother's name has been wrongly written as Shella instead of Sheela Bhat in matriculation record under Roll No. 2271220, Session 2014. Now, I am applying for the correction of the same. Objections, if any, may be conveyed to Joint Secretary, J&K State Board of School Education within one week.

Sahil Bhat
S/o Vijay Kumar Bhat
R/o Flat No. 24, Block No. 53,
Lane No. 9, Jagti Township, Nagrota.

Notice

I, Sanjeev Gupta, Father of Visheve Savroop R/o H. No. 207, Sector-4, Pumposh Colony, Janipur, Jammu have changed the name of my son Visheve Sauroop to Visheve Savroop. I do hereby assume from this date that my son's changed name is Visheve Savroop.

**OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.**

Notification No. 49

Dated 12-11-2014.

In exercise of the powers conferred upon me vide SRO-365 dated 13-08-2013, I, Suraj Parkash Rukwal, KAS, Assistant Commissioner, Revenue (Competent Authority), Kathua under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014, do hereby notify that the rights of user in land, particulars of which are given below is likely to be needed for the public utilities namely underground laying of gas pipelines or any other utility situated in Village Kattal Brahmana, Tehsil Hiranagar, District Kathua for public purposes.

Objection, if any, in writing with regard to acquisition of rights of user in respect of particulars of land mentioned below in schedule of property will be received by the undersigned either directly or through legal practitioner

within a statutory period of thirty (30) days from the date of publication of this notification in the newspaper :—

Schedule of Property

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Kathua	Hiranagar	Kattal Barahmana		K. M.
			411/36	03-11
			37	02-04
			743/38	00-01
			40	04-16
			878/42	01-08
			878/43	01-17
			750/43	00-08
			64	02-05
			757/65	03-10
			760/65	00-06
			448/67	05-08
			Total	23-11

Kind of Land

Note	Warhal Awal K. M. 12-05	Banjar Qadeem K. M. 00-01	Gair Mumkin K. M. 11-05
------	-------------------------------	---------------------------------	-------------------------------

(Sd.) S. P. RUKWAL, KAS,

Assistant Commissioner, Revenue
(Competent Authority),
Kathua.

OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

Notification No. 50

Dated 15-11-2014.

In exercise of the powers conferred upon me vide SRO-365 dated 13-08-2013, I, Suraj Parkash Rukwal, KAS, Assistant Commissioner, Revenue (Competent Authority), Kathua under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014, do hereby notify that the rights of user in land, particulars of which are given below is likely to be needed for the public utilities namely underground laying of gas pipelines or any other utility situated in Village Muthi Hardoo, Tehsil Hiranagar, District Kathua for public purposes.

Objection, if any, in writing with regard to acquisition of rights of user in respect of particulars of land mentioned below in schedule of property will be received by the undersigned either directly or through legal practitioner within a statutory period of thirty (30) days from the date of publication of this notification in the newspaper :-

Schedule of Property

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Kathua	Hiranagar	Muthi Hardoo	1542	00-10
			1560	06-04
			1576	00-05
			1561	00-01
			1577	00-6½

1	2	3	4	5
				K. M.
Kathua	Hiranagar	Muthi Hardoo	1578	00-10
			1579	00-1½
			1591	03-06
			1590	02-05
			1589	02-11
			1588	02-14
			1596	00-1½
			1597	03-00
			1598	01-00
			1629	00-18
			1635	00-10
			1634	01-14
			1631	01-03
			1632	00-03
			1633	01-01

1	2	3	4	5
				K. M.
Kathua	Hiranagar	Muthi Hardoo	990	00-14
			901	05-14
			929	03-00
			790	01-00
			791	04-18
			792	01-05
			569	00-18
			570	01-03
			571	01-04
			577	00-03
			546	00-08
			572	05-18
			543	02-15
			548	01-13
			544	00-13
			549	00-19
			550	00-02

1	2	3	4	5
				K. M.
Kathua	Hiranagar	Muthi Hardoo	545	00-05
			547	00-14
			427	00-15
			409	00-05
			410	00-8½
			416	05-01
			415	00-03
			419	00-04
			413	01-18½
			422	03-09
			423	00-1½
			Total	72-16

Kind of Land

Note	Nehri K. M. 55-11½	Banjar Qadeem K. M. 01-03	Gair Mumkin K. M. 16-1½
------	--------------------------	---------------------------------	-------------------------------

(Sd.) S. P. RUKWAL, KAS,

Assistant Commissioner, Revenue
(Competent Authority),
Kathua.

OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

Notification No. 51

Dated 15-11-2014.

In exercise of the powers conferred upon me vide SRO-365, dated 13-08-2013, I, Suraj Parkash Rukwal, KAS, Assistant Commissioner, Revenue (Competent Authority), Kathua under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014, do hereby notify that the rights of user in land, particulars of which are given below is likely to be needed for the public utilities namely underground laying of gas pipelines or any other utility situated in Village Seswan, Tehsil Hiranagar, District Kathua for public purposes.

Objection, if any, in writing with regard to acquisition of rights of user in respect of particulars of land mentioned below in schedule of property will be received by the undersigned either directly or through legal practitioner within a statutory period of thirty (30) days from the date of publication of this notification in the newspaper :-

Schedule of Property

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Kathua	Hiranagar	Seswan	562	00-13
			564	01-04
			567	00-12
			569	01-18
			570	01-18

1	2	3	4	5
Kathua	Hiranagar	Seswan	572	K. M. 00-18
			573	06-08
			574	02-11
			593	04-11
			307	01-00
			308	01-17
			309	03-02
			310	02-11
Total				29-03

Kind of Land

Note	Warhal Awal	Gair Mumkin
	K. M. 27-18	K. M. 01-05

(Sd.) S. P. RUKWAL, KAS,

Assistant Commissioner, Revenue
(Competent Authority),
Kathua.

Notice

I, Riffle S/o Sh. Sepan R/o Ward Number-10, Tehsil and District Kathua do hereby declare that according to the school records and grade sheet-cum-certificate of performance of 10th Class Secondary School Examination, Session 2012 under Roll Number 2244184 is written as Rifle and Cipan due to mistake. The actual spellings are 'Riffle' and 'Sepan'. Now, I am applying for the correction of both the names. Anyone having objections could file to the concerned department authority within seven days from the publication of this notice.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 127] Jammu, Thu., the 27th Nov., 2014/6th Agra., 1936. [No. 35

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS-C

**OFFICE OF THE SUPERINTENDING ENGINEER,
ELECTRIC PURCHASE CIRCLE-I, ELECTRIC CENTRAL
STORES COMPLEX, RAIL HEAD, JAMMU.**

Extension Notice

The last date for down loading of tender documents as well as last date of submission of e-Bid on the website against e-NIT No. EPC-I/10/2014-15 for supply of 125 KVA D. G. set is hereby extended up to 17-11-2014 due to inadequate response. The date for opening of bids shall be 20-11-2014 at 12 Noon. The last date for receipt of cost of tender EMD instrument in the physical form along with original affidavits shall be 15-11-2014.

All other terms and conditions of e-NIT shall remain unchanged.

(Sd.)

Superintending Engineer,
Elect. Purchase Circle-I,
Jammu.

OFFICE OF THE SUPERINTENDING ENGINEER,
ELECTRIC PURCHASE CIRCLE-I, ELECTRIC CENTRAL
STORES COMPLEX, RAIL HEAD, JAMMU.

Corrigendum

Please read as "leema" instead of "Cacmai" mentioned in SBD of e-NIT No. SE/EPC-I/11/2014-15. All other terms and conditions of the e-NIT shall remain unchanged. Inconvenience caused to the prospective bidders is regretted.

(Sd.)

Superintending Engineer,
Elect. Purchase Circle-I,
Jammu.

OFFICE OF THE SUPERINTENDING ENGINEER,
ELECTRIC PURCHASE CIRCLE-I, ELECTRIC CENTRAL
STORES COMPLEX, RAIL HEAD, JAMMU.

Corrigendum

In reference to already floated e-NIT No. EPC-I/11/2014-15 for supply of 1.1KV Single core XLPE insulated aluminium cables, the bidders are informed that the cost of e-Bid document shall be Rs. 100/- (Rupees One Hundred only) for local SSI units and Rs. 5000/- (Rupees Five Thousand only) for firms outside the State.

All other terms and conditions of aforesaid e-NIT shall remain unchanged. Inconvenience caused to the prospective bidders is regretted.

(Sd.)

Superintending Engineer,
Elect. Purchase Circle-I,
Jammu.

از عدالت چیف جوڈیشل مجسٹریٹ ڈوڈہ

غلام محمد شاہ ولد عبدل رزاق شاہ ساکنہ سروادھا رڈ ڈوڈہ

بنام

منشی رام ولد کنج لال ساکنہ تھتھی روڈ کیمبل ڈنگہ اودھ پور (ملزم)

جرم زیر دفعہ 138/N.I.Act

مثل نمبر 116/1 استغاثہ تاریخ دائرہ 11-12-2013 تاریخ آئندہ پیشی 14-07-2014

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام: اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم عرصہ دراز بعد ارتکاب جرم روپوش ہو چکا ہے اور ملزم کی حاضری و دستیابی بطریق معمول سے ناممکن ہے جس کی نسبت رپورٹ تعیل کنندہ میں آیا ہے کہ ملزم پس و پیش ہو چکا ہے۔

لہذا ملزم کے خلاف وارنٹ گشتی عام زیر دفعہ 512 ض ف جاری کیا جاتا ہے اور اہلکاران پولیس ریاست جموں و کشمیر کو اختیار و حکم دیا دیا تا ہے کہ ملزم منشی رام ولد کنج لال ساکنہ تھتھی روڈ کیمبل ڈنگہ اودھ پور جہاں کہیں بھی اندر حد دریاست جموں و کشمیر دستیاب ہو تو ملزم کو فوراً گرفتار کر کے روبرو عدالت ہذا پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

تحریر 28-06-2014

دستخط: چیف جوڈیشل مجسٹریٹ ڈوڈہ (جے اینڈ کے)

ضمیمہ ج۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 35 مورخہ 27 نومبر 2014ء برطانیق 06 اگر ہاتا 1936 - 187

بالا کو اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو، گرفتار کر کے عدالت ہذا میں پیش کرے۔ وارنٹ ہذا تا دستیابی ملزم متذکرہ زیر کار رہے گی۔

تحریر 21-06-2014

دستخط : جوڈیشل مجسٹریٹ وجہ اول بانہال۔

از عدالت منصف جوڈیشل مجسٹریٹ کپوارہ

سرکار بنام محمد لطیف خان وغیرہ (ملزمان)

بذریعہ علت نمبر 204 سال 2004ء تھانہ پولیس کپوارہ

بجرائم زیر دفعات 379,109 RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم: بشیر احمد گورو عرف شوکت ولد شبان ساکنہ ٹینگر پورہ گوری ہانجن نورہ باغ
سرینگر (ملزم)

معاملہ مندرجہ عنوان الصدر میں ملزم صدر کے خلاف کارروائی زیر دفعہ 512
ض ف عمل لائی گئی ہے۔

لہذا آپ کو قرار حکم عدالت امروزہ حکم دیا جاتا ہے کہ آپ ملزم صدر کو جب کبھی
اور جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر دستیاب ہو، گرفتار کر کے عدالت ہذا میں
پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

تحریر 15-07-2014

دستخط : جوڈیشل مجسٹریٹ کپوارہ۔

دستیابی کی کوئی اُمید نہ ہے۔ تعمیل کنندہ نے ملزم مذکور کے خلاف وارنٹ گشتی جاری کرنے کی استدعا کی ہے واحد تعمیل کنندہ I/O نے بخوبی کی ہے جس سے عدالت ہذا کو اطمینان ہو گیا ہے کہ واقعی ہی ملزم مندرجہ بالا کی سر دست دستیابی کی کوئی اُمید نہ ہے۔ لہذا ہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ ہذا حکم و اختیار دیا جاتا ہے کہ ملزم مذکور اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو کو گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیگا۔

تحریر 16-06-2014

دستخط: مُنصف جوڈیشل مجسٹریٹ درجہ اول بنی۔

از عدالت مُنصف جوڈیشل مجسٹریٹ درجہ اول بانہال

سرکار بنام فیاض احمد وغیرہ

بمقدمہ علت نمبر 25 سال 2014ء تھانہ پولیس بانہال

بجرائم زیر دفعات RPC 109/366/376

وارنٹ گشتی زیر دفعہ 512 ض ف

بخلاف ملزم۔ فاروق احمد ولد غلام احسان وانی ساکنہ منکت تحصیل بانہال ضلع رام بن

حکم بنام : ہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں آچکے حکم و اختیار دیا جاتا ہے کہ آپ ملزم متذکرہ

ضمیمہ ج۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 35 مورخہ 27 نومبر 2014ء بمطابق 06 اگراہنا 1936 - 185

جموں و کشمیر دستیاب ہو تو گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر 25 جون 2014ء

دستخط: پرنسپل سیشن جج بھدر واہ۔

از عدالت جوڈیشل مجسٹریٹ درجہ اول بنی

سرکار بنام شاہ محمد وغیرہ (ملزم)

علت نمبر 9 سال 2011ء، تھانہ پولیس بنی

جرم زیر دفعہ 188 RPC

وارنٹ گشتی زیر دفعہ 512 ض ف

بخلاف ملزم۔ شوکت علی ولد غلام رسول وانی ساکنہ ناٹھی تحصیل بھدر واہ ضلع ڈوڈہ

حکم بنام: اہلکاران پولیس ریاست جموں و کشمیر

بمقدمہ مثل نمبر 20/چالان، دائرہ 11-14-2011 فیصلہ رواں

عنوان سرکار بنام شاہ محمد وغیرہ جرم زیر دفعہ 188 RPC میں

ملزم شوکت علی ولد غلام رسول وانی قوم کشمیری مسلمان ساکنہ ناٹھی تحصیل بھدر واہ

ضلع ڈوڈہ کے خلاف تعیل کنندہ نے بیان کیا ہے کہ ملزم مذکور مندرجہ بالا علاقہ دیہہ

حسب دستیاب نہ ہوا ہے اور کافی عرصہ سے علاقہ میں رہائش نہ رکھتا ہے جسکی سر دست

لہذا ملزم صدر کے خلاف وارنٹ گشتی عام اجراء کی جاتی ہے اور تمام اہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ ہذا حکم و اختیار دیا جاتا ہے کہ جہاں کہیں بھی ملزم متذکرہ بالا اندر حدود ریاست جموں و کشمیر دستیاب ہو کو گرفتار کر کے ہمارے روبرو عدالت ہذا میں پیش کریں۔ وارنٹ ہذا دستیابی ملزم زیر کار رہے۔
آج بہ ثبت مہر عدالت و دستخط راقم جاری کیا گیا۔

دستخط: پرنسپل سیشن جج گاندر بل۔

از عدالت پرنسپل سیشن جج بھدر واہ

سرکار بنام روف احمد ولد علی محمد ساکنہ تھنالہ تحصیل بھدر واہ

علت نمبر 89 سال 2006ء پولیس تھانہ بھدر واہ

جرم زیر دفعہ 392 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضف

حکم بنام۔ اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم روف احمد ولد علی محمد ساکنہ موضع تھنالہ تحصیل بھدر واہ بعد ارتکاب جرم روپوش ہو چکا ہے جسکی تلاشی بطریق آسانی ممکن نہ ہے اور سر دست دستیابی کی کوئی اُمید نہ ہے۔

لہذا آپ کو حکم و اختیار دیا جاتا ہے کہ ملزم مذکور جہاں بھی اندر حدود تھانہ و ریاست

لہذا تمام اہلکاران پولیس جموں و کشمیر کو حکم دیا جاتا ہے کہ جب کبھی اور جہاں کہیں بھی ملزم اُلصدر کو اندر حدود ریاست جموں و کشمیر موجود پائیں تو ملزم کو گرفتار کر کے عدالت ہذا میں اندر اوقات کار پیش کریں۔ وارنٹ گشتی عام تا دستیابی ملزم زیر کار رہے گی۔

تحریر 02-06-2014

دستخط: ایڈیشنل سیشن جج امت ناگ۔

از عدالت پرنسپل سیشن جج صاحب گاندر بل

سرکار بنام بشیر احمد بٹ داماد گلہ بٹ ساکنہ بٹہ دینہ گاندر بل وغیرہ (ملزم)
بذریعہ علت نمبر 70 سال 2008ء، تھانہ پولیس گاندر بل

بجرائم زیر دفعہ 420/467 RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم۔ بشیر احمد بٹ داماد گلہ بٹ ساکنہ بٹہ دینہ گاندر بل

حکم بنام۔ اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں ملزم صدر کے خلاف عدالت ہذا میں

مورخہ 09-04-2010 کو دائر ہوا ہے چونکہ ملزم سابقہ کئی تاریخ پیشیوں سے لگا تار غیر حاضر

رہا ہے اور ملزم صدر کے خلاف وارنٹ ہا اجراء کی گئی۔ الا ملزم حاضر عدالت نہ ہوا۔ اس ضمن

میں بیان تعمیل کنندہ کا بیان بھی قلمبند کیا گیا کہ ملزم کی حاضری یہ طریقہ معمول ممکن نہ ہے۔

معاملہ مندرجہ عنوان اُلصدر میں ملزم مذکور کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم آفتاب احمد ولد محمد دین قوم قریشی ساکنہ لاہ تحصیل تھنہ منڈی، گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حد در ریاست دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ تحریر اُلصدر دستخط: منصف جوڈیشل مجسٹریٹ درجہ اول تھنہ منڈی۔

از عدالت ایڈیشنل سیشن جج انت ناگ

سرکار بنام ہلال احمد لون ولد محمد رمضان لون ساکنہ ہانگیر ٹنگڈن یاری پورہ کو لگام (ملزم)
بمقدمہ علت نمبر 73 سال 2009ء، تھانہ پولیس قاضی گنڈ

بجرائم زیر دفعہ 15/18 NDPS Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف خلاف ملزم اُلصدر

حکم بنام۔ اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں ملزم عرصہ دراز سے مسلسل طور غیر حاضر ہوتا چلا آ رہا ہے۔ اور قرار رپورٹ وارنٹ گرفتاری۔ ملزم اُلصدر دیدہ دانستہ طور پولیس کو چکمہ دیکر روپوش رہتا ہے اور ملزم کی گرفتاری تا حال بطریق معمول ناممکن ہے۔



رجسٹرڈ نمبر جے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 127۔ جموں۔ مورخہ 27 نومبر 2014ء بمطابق 06 اگراہنا 1936 ویدوار۔ نمبر 35

اشتہارات

از عدالت منصف جوڈیشل مجسٹریٹ درجہ اول تھنہ منڈی

سرکار بنام محمد سید وغیرہ

پرچہ علت نمبر 51 سال 2009ء، تھانہ پولیس تھنہ منڈی

بجرائم زیر دفعات 451/325 RPC

وارنٹ گشتی زیر دفعہ 512 ض ف

حکم بنام۔ اہلکاران پولیس ریاست جموں و کشمیر